

1 ENGROSSED SENATE
BILL NO. 1346

By: Scott of the Senate

2
3 and

4 Worthen of the House

5
6 [court records - records of convictions - information
7 - online registration and access portal - fee -
8 protection of records - rules - effective date]

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

10 SECTION 1. AMENDATORY 22 O.S. 2011, Section 977, as
11 amended by Section 4, Chapter 348, O.S.L. 2016 (22 O.S. Supp. 2017,
12 Section 977), is amended to read as follows:

13 Section 977. A. When judgment upon a conviction is rendered,
14 the clerk must enter the same upon the minutes, stating briefly the
15 offense for which the conviction has been had, and must immediately
16 annex together and file the following papers, which constitute a
17 record of the action:

18 1. The indictment and a copy of the minutes of the plea or
19 demurrer;

20 2. A copy of the minutes of the trial;

21 3. The charges given or refused, and the endorsements, if any,
22 thereon; and

23 4. A copy of the judgment, which shall include a notation of
24 the year of birth of the defendant and the last four digits of the

1 Social Security number of the defendant. The judgment shall also
2 contain the statutory reference to the felony crime the defendant
3 was convicted of and the date of the offense.

4 B. The court shall obtain both the ~~year~~ date of birth of the
5 defendant and the last four digits of the Social Security number of
6 the defendant. The date of birth shall only be released to entities
7 or persons that comply with the provisions of subsection C of this
8 section.

9 C. The court shall allow access to date of birth records to:

10 1. Any entity or person that makes application to the Supreme
11 Court and demonstrates to the satisfaction of the Supreme Court that
12 the entity or person has a legitimate need for the records. If
13 approved by the Supreme Court, the entity or person shall receive
14 written notice of such approval;

15 2. Newspapers, as defined in Section 106 of Title 25 of the
16 Oklahoma Statutes; and

17 3. Members of the Oklahoma Bar Association who are in good
18 standing with the Bar and demonstrate to the satisfaction of the
19 Supreme Court that such records are necessary to provide legal
20 representation to a client or clients.

21 D. The Supreme Court shall develop an online registration and
22 access portal to allow entities and persons approved pursuant to
23 subsection C of this section to access the records provided for in
24 this section. The Supreme Court may establish an annual fee not to

1 exceed One Thousand Five Hundred Dollars (\$1,500.00), payable by the
2 entity or person seeking access to the records, to offset the cost
3 of creating the online access system and the cost for reviewing the
4 applications for access to the records. Members of the Bar
5 Association shall be exempt from paying the fee.

6 E. Any entity or person receiving records pursuant to
7 subsection C of this section shall be responsible for the protection
8 of the records.

9 F. The Supreme Court may promulgate rules to implement the
10 provisions of this section.

11 SECTION 2. This act shall become effective November 1, 2018.

12 Passed the Senate the 8th day of March, 2018.

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15 Presiding Officer of the Senate

16 Passed the House of Representatives the ____ day of _____,
17 2018.

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19 _____
20 Presiding Officer of the House
21 of Representatives