

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1346 By: Scott of the Senate  
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 ]  
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11 AMENDMENT NO. 1. Replace the stricken title, enacting clause and  
entire bill and insert  
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13 "An Act relating to court records; amending 22 O.S.  
2011, Section 977, as amended by Section 4, Chapter  
14 348, O.S.L. 2016 (22 O.S. Supp. 2017, Section 977),  
which relates to records of convictions; requiring  
15 court to obtain certain information from defendant;  
providing an effective date; and declaring an  
16 emergency.  
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19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

23 Section 977. A. When judgment upon a conviction is rendered,  
24 the clerk must enter the same upon the minutes, stating briefly the

1 offense for which the conviction has been had, and must immediately  
2 annex together and file the following papers, which constitute a  
3 record of the action:

4 1. The indictment and a copy of the minutes of the plea or  
5 demurrer;

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

7 3. The charges given or refused, and the endorsements, if any,  
8 thereon; and

9 4. A copy of the judgment, which shall include a notation of  
10 the month and year of birth date of the defendant and the last four  
11 digits of the Social Security number of the defendant. The judgment  
12 shall also contain the statutory reference to the felony crime the  
13 defendant was convicted of and the date of the offense.

14 B. The court shall obtain the month and year of birth date of  
15 the defendant and the last four digits of the Social Security number  
16 of the defendant.

17 SECTION 2. This act shall become effective July 1, 2018.

18 SECTION 3. It being immediately necessary for the preservation  
19 of the public peace, health or safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval."  
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1 Passed the House of Representatives the 18th day of April, 2018.

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4 Presiding Officer of the House of  
5 Representatives

6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2018.

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8  
9 Presiding Officer of the Senate

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

10 SECTION 4. 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 5. This act shall become effective November 1, 2018.

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

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14 \_\_\_\_\_  
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