

1 **SENATE FLOOR VERSION**

2 February 25, 2020

3 SENATE BILL NO. 1366

By: Coleman of the Senate

4 and

5 Pfeiffer of the House

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7  
8 An Act relating to district attorneys; amending 19  
9 O.S. 2011, Section 215.22, as last amended by Section  
10 4, Chapter 22, O.S.L. 2017 (19 O.S. Supp. 2019,  
11 Section 215.22), which relates to destruction and  
reproduction of records; modifying requirements for  
destruction of certain records; and providing an  
effective date.

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

15 SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.22, as  
16 last amended by Section 4, Chapter 22, O.S.L. 2017 (19 O.S. Supp.  
17 2019, Section 215.22), is amended to read as follows:

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

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

1 digitized or ~~provide~~ provided computer storage for such felony cases  
2 or records;

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

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

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

20 B. The district attorney is authorized to reproduce a copy of  
21 ~~such a~~ a record, file or case stored digitally or in computer storage  
22 as provided in this section and such copy or computer-generated  
23 image or record may be used by the district attorney in lieu of the  
24 destroyed record, file or case, for all purposes.

SECTION 2. This act shall become effective November 1, 2020.

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
February 25, 2020 - DO PASS

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