

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1159

By: Worthen

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5
6 AS INTRODUCED

7 An Act relating to court records; amending 22 O.S.
8 2011, Section 977, as last amended by Section 1,
Chapter 173, O.S.L. 2018 (22 O.S. Supp. 2018, Section
9 977), which relates to records of convictions;
10 authorizing certain entities and persons to obtain
birth date information; providing procedure for
11 authorization to obtain the information; providing
for development of an online registration and access
12 portal; authorizing assessment of certain fee;
requiring protection of records; authorizing
13 promulgation of rules; and providing an effective
date.

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

16 SECTION 1. AMENDATORY 22 O.S. 2011, Section 977, as last
17 amended by Section 1, Chapter 173, O.S.L. 2018 (22 O.S. Supp. 2018,
18 Section 977), is amended to read as follows:

19 Section 977. A. When judgment upon a conviction is rendered,
20 the clerk must enter the same upon the minutes, stating briefly the
21 offense for which the conviction has been had, and must immediately
22 annex together and file the following papers, which constitute a
23 record of the action:
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1 1. The indictment and a copy of the minutes of the plea or
2 demurrer;

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

4 3. The charges given or refused, and the endorsements, if any,
5 thereon; and

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

11 B. The court shall obtain both the ~~month and year~~ date of birth
12 ~~date~~ of the defendant and the last four digits of the Social
13 Security number of the defendant. The date of birth shall only be
14 released to entities or persons that comply with the provisions of
15 subsection C of this section.

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

17 1. Any entity or person who makes application to the Supreme
18 Court and demonstrates to the satisfaction of the Supreme Court that
19 the entity or person has a legitimate need for the records. If
20 approved by the Supreme Court, the entity or person shall receive
21 written notice of such approval;

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

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

5 D. The Supreme Court shall develop an online registration and
6 access portal to allow entities and persons approved pursuant to
7 subsection C of this section to access the records provided for in
8 this section. The Supreme Court may establish an annual fee not to
9 exceed One Thousand Five Hundred Dollars (\$1,500.00), payable by the
10 entity or person seeking access to the records, to offset the cost
11 of creating the online access system and the cost for reviewing the
12 applications for access to the records. Members of the Oklahoma Bar
13 Association shall be exempt from paying the fee.

14 E. Any entity or person receiving records pursuant to
15 subsection C of this section shall be responsible for the protection
16 of the records.

17 F. The Supreme Court may promulgate rules to implement the
18 provisions of this section.

19 SECTION 2. This act shall become effective November 1, 2019.

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21 57-1-5574 EK 12/28/18
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