

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 1522 By: Bullard of the Senate
3 and
4 Humphrey of the House
5
6

7 An Act relating to personal identification
information of retired peace officers; amending 21
8 O.S. 2021, Section 1176, which relates to use of
certain devices and the records of the county
9 assessor to harass peace officers; prohibiting use of
certain devices to harass retired peace officers;
10 defining term; amending 68 O.S. 2021, Section 2899.1,
which relates to requests to county assessors to keep
11 personal information confidential; authorizing
retired peace officers to request the confidentiality
12 of personal information; defining term; and providing
an effective date.
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14 AUTHORS: Remove Bullard as principal Senate author and substitute
as principal Senate author Standridge. Retain Bullard as
15 Senate coauthor.

16 AUTHORS: Add the following House Coauthors: Roberts (Dustin) and
Townley
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18 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill
and insert:
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21 "An Act relating to crimes and punishments; amending
21 O.S. 2021, Section 1792, which relates to
22 trespass with respect to critical infrastructure
facilities; providing for criminal liability for
23 loitering; modifying definition; providing for
inclusion of certain county-owned property; and
24 providing an effective date.

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

2 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1792, is
3 amended to read as follows:

4 Section 1792. A. Any person who shall willfully trespass ~~or~~,
5 enter or loiter upon property containing a critical infrastructure
6 facility without permission by the owner of the property or lawful
7 occupant thereof shall, upon conviction, be guilty of a misdemeanor
8 punishable by a fine of not less than One Thousand Dollars
9 (\$1,000.00), or by imprisonment in the county jail for a term of six
10 (6) months, or by both such fine and imprisonment. If it is
11 determined the intent of the trespasser is to willfully damage,
12 destroy, vandalize, deface, tamper with equipment, or impede or
13 inhibit operations of the facility, the person shall, upon
14 conviction, be guilty of a felony punishable by a fine of not less
15 than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the
16 custody of the Department of Corrections for a term of one (1) year,
17 or by both such fine and imprisonment.

18 B. Any person who shall willfully damage, destroy, vandalize,
19 deface or tamper with equipment in a critical infrastructure
20 facility shall, upon conviction, be guilty of a felony punishable by
21 a fine of One Hundred Thousand Dollars (\$100,000.00), or by
22 imprisonment in the custody of the Department of Corrections for a
23 term of not more than ten (10) years, or by both such fine and
24 imprisonment.

1 C. If an organization is found to be a conspirator with persons
2 who are found to have committed any of the crimes described in
3 subsection A or B of this section, the conspiring organization shall
4 be punished by a fine that is ten times the amount of said fine
5 authorized by the appropriate provision of this section.

6 D. As used in this section, "critical infrastructure facility"
7 means:

8 1. One of the following, if completely enclosed by a fence or
9 other physical barrier that is obviously designed to exclude
10 intruders, or if clearly marked with a sign or signs that are posted
11 on the property that are reasonably likely to come to the attention
12 of intruders and indicate that entry is forbidden without site
13 authorization:

- 14 a. a petroleum or alumina refinery,
- 15 b. an electrical power generating facility, substation,
16 switching station, electrical control center or
17 electric power lines and associated equipment
18 infrastructure,
- 19 c. a chemical, polymer or rubber manufacturing facility,
- 20 d. a water intake structure, water treatment facility,
21 wastewater treatment plant or pump station,
- 22 e. a natural gas compressor station,
- 23 f. a liquid natural gas terminal or storage facility,
- 24 g. a telecommunications central switching office,

- h. wireless telecommunications infrastructure, including cell towers, telephone poles and lines, including fiber optic lines,
- i. a port, railroad switching yard, railroad tracks, trucking terminal or other freight transportation facility,
- j. a gas processing plant, including a plant used in the processing, treatment or fractionation of natural gas or natural gas liquids,
- k. a transmission facility used by a federally licensed radio or television station,
- l. a steelmaking facility that uses an electric arc furnace to make steel,
- m. a facility identified and regulated by the United States Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS) program,
- n. a dam that is regulated by the state or federal government,
- o. a natural gas distribution utility facility including, but not limited to, pipeline interconnections, a city gate or town border station, metering station, aboveground piping, a regulator station and a natural gas storage facility, or

1 p. a crude oil or refined products storage and
2 distribution facility including, but not limited to,
3 valve sites, pipeline interconnections, pump station,
4 metering station, below or aboveground pipeline or
5 piping and truck loading or offloading facility; ~~or~~

6 2. Any aboveground portion of an oil, gas, hazardous liquid or
7 chemical pipeline, tank, railroad facility or other storage facility
8 that is enclosed by a fence, other physical barrier or is clearly
9 marked with signs prohibiting trespassing, that are obviously
10 designed to exclude intruders; or

11 3. Any county-owned property including, but not limited to,
12 courthouses and detention centers.

13 SECTION 2. This act shall become effective November 1, 2022."

14 Passed the House of Representatives the 28th day of April, 2022.

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17 _____
18 Presiding Officer of the House of
Representatives

19 Passed the Senate the ____ day of _____, 2022.

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22 _____
23 Presiding Officer of the Senate
24

1 ENGROSSED SENATE
2 BILL NO. 1522

By: Bullard of the Senate

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6 An Act relating to personal identification
7 information of retired peace officers; amending 21
8 O.S. 2021, Section 1176, which relates to use of
9 certain devices and the records of the county
10 assessor to harass peace officers; prohibiting use of
11 certain devices to harass retired peace officers;
12 defining term; amending 68 O.S. 2021, Section 2899.1,
13 which relates to requests to county assessors to keep
14 personal information confidential; authorizing
15 retired peace officers to request the confidentiality
16 of personal information; defining term; and providing
17 an effective date.

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

19 SECTION 3. AMENDATORY 21 O.S. 2021, Section 1176, is
20 amended to read as follows:

21 Section 1176. A. Whoever, with the intent to threaten,
22 intimidate or harass, or facilitate another to threaten, intimidate
23 or harass, uses an electronic communication device to knowingly
24 publish, post or otherwise make publicly available personally
25 identifiable information of a peace officer, retired peace officer,
26 or public official, and as a result places that peace officer,
27 retired peace officer, or public official in reasonable fear of
28 death or serious bodily injury shall, upon conviction, be guilty of

1 a misdemeanor punishable by imprisonment in the county jail for a
2 term not to exceed six (6) months, or by a fine not to exceed One
3 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.
4 Upon conviction for a second or subsequent violation, the person
5 shall be punished by imprisonment in the county jail for a term not
6 to exceed one (1) year, or by a fine not to exceed Two Thousand
7 Dollars (\$2,000.00), or by both such fine and imprisonment.

8 B. As used in this section:

9 1. "Electronic communication" shall have the same meaning as
10 that term is defined in Section 1172 of Title 21 of the Oklahoma
11 Statutes. Electronic communication does not include broadcast
12 transmissions or similar communications that are not targeted at any
13 specific individual;

14 2. "Electronic communication device" means any cellular
15 telephone, facsimile, pager, computer or any device capable of
16 electronic communication;

17 3. "Peace officer" shall have the same meaning as that term is
18 defined in Section 99 of Title 21 of the Oklahoma Statutes;

19 4. "Personally identifiable information" means information
20 which can identify an individual including, but not limited to,
21 name, birth date, place of birth, mother's maiden name, biometric
22 records, Social Security number, official state- or government-
23 issued driver license or identification number, government passport
24 number, employer or taxpayer identification number or any other

1 information that is linked or linkable to an individual, such as
2 medical, educational, financial or employment information;

3 5. "Public official" means any person elected or appointed to a
4 state office in the executive, legislative or judicial branch of
5 state government or other political subdivision of the state; ~~and~~

6 6. "Publish" means to circulate, deliver, distribute,
7 disseminate, transmit or otherwise make available to another person;
8 and

9 7. "Retired peace officer" shall have the same meaning as that
10 term is defined in Section 553 of Title 19 of the Oklahoma Statutes.

11 SECTION 4. AMENDATORY 68 O.S. 2021, Section 2899.1, is
12 amended to read as follows:

13 Section 2899.1. A. All elected county officials, peace
14 officers, and retired peace officers, and law enforcement
15 organizations in the State of Oklahoma shall be permitted to request
16 to a county assessor that personal information regarding elected
17 county officials, peace officers, retired peace officers, or
18 undercover or covert law enforcement officers not be made publicly
19 available on the Internet, but instead kept in a secure location at
20 the office of the county assessor where it may be made available to
21 authorized persons pursuant to law.

22 B. Any elected county official, peace officer, retired peace
23 officer, or law enforcement official on behalf of an undercover or
24 covert officer, who wishes to have the personal information of the

1 | elected county official, peace officer, retired peace officer, or
2 | undercover or covert officer that is contained in the records of a
3 | county assessor be kept confidential must obtain an order of a court
4 | that requires the county assessor to maintain the personal
5 | information of the person or entity in a confidential manner. Such
6 | an order must be based on a sworn affidavit by the elected county
7 | official, peace officer, retired peace officer, or law enforcement
8 | official, which affidavit:

9 | 1. States that the individual whose information is to be kept
10 | confidential is:

- 11 | a. an elected county official,
- 12 | b. a peace officer, ~~or~~
- 13 | c. an undercover or covert officer; ~~and~~ ,or
- 14 | d. a retired peace officer; and

15 | 2. Sets forth sufficient justification for the request for
16 | confidentiality.

17 | C. Upon receipt of such an order, a county assessor shall keep
18 | such information confidential and shall not disclose the
19 | confidential information to anyone not specifically authorized by
20 | law to view the information, unless disclosure is specifically
21 | authorized in writing by that person or the affiant. A county
22 | assessor shall not post such confidential information on the
23 | Internet.

24 | D. As used in this section:

1. "Elected county official" means a person elected to a county office;

2. "Peace officer" shall have the same meaning as that term is defined in Section 99 of Title 21 of the Oklahoma Statutes; and

3. "Personal information" means:

a. the home address of a person,

b. the home address of the spouse, domestic partner or
minor child of a person, and

c. any telephone number or electronic mail address of a person; and

4. "Retired peace officer" shall have the same meaning as that
term defined in Section 553 of Title 19 of the Oklahoma Statutes.

SECTION 5. This act shall become effective November 1, 2022.

Passed the Senate the 15th day of February, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2022.

Presiding Officer of the House
of Representatives