

1 ENGROSSED SENATE
2 BILL NO. 1522

By: Bullard of the Senate

3 and

4 Humphrey of the House

5
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 1. 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, retired peace officer, or public official in reasonable fear of
27 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 2. 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 3. 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