

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 2720

By: Ford

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7 COMMITTEE SUBSTITUTE

8 An Act relating to state government; creating the
9 Targeted Violence Prevention Act; authorizing the
10 Department of Homeland Security and Oklahoma Counter
11 Terrorism Intelligence Center to collect, analyze,
12 and disseminate certain information to law
13 enforcement and public safety agencies; deeming
14 disseminated information as confidential; making
15 certain acts unlawful; providing penalties; defining
16 terms; allowing for the release or use of
17 confidential information under certain circumstances;
18 making information privileged, not discoverable and
19 not subject to subpoena; amending 74 O.S. 2021,
20 Section 51.1, as last amended by Section 1, Chapter
21 257, O.S.L. 2024 (74 O.S. Supp. 2024, Section 51.1),
22 which relates to the Oklahoma Homeland Security Act;
23 expanding scope of duties; authorizing the Homeland
24 Security Advisor to adopt and enforce certain
necessary rules; providing for codification; and
declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 51.1b of Title 74, unless there
is created a duplication in numbering, reads as follows:

1 A. This act shall be known and may be cited as the "Targeted
2 Violence Prevention Act".

3 B. In furtherance of its core functions of prevention and
4 intelligence, response and recovery planning, and awareness and
5 preparedness, the Office of Homeland Security and the Oklahoma
6 Counter Terrorism Intelligence Center, a unit of the Office of
7 Homeland Security, may collect, analyze, and disseminate to law
8 enforcement and public safety agencies information concerning the
9 activity and identity of individuals reasonably suspected of
10 involvement in terrorism, targeted violence, threats to public
11 safety, or any other threats of organized or violent crime.

12 C. Any information disseminated pursuant to this section shall
13 be confidential and the recipients of such information shall comply
14 with the handling terms associated with the disclosure.

15 Unauthorized release or unauthorized use of information disseminated
16 pursuant to this section shall be a misdemeanor and shall be
17 punishable by incarceration in the county jail for a term not
18 exceeding one (1) year, or a fine not exceeding Fifty Thousand
19 Dollars (\$50,000.00), or by both such fine and imprisonment. As
20 used in this subsection, "unauthorized release" or "unauthorized
21 use" shall include, but not be limited to, disseminating or
22 disclosing confidential information in a manner which exceeds the
23 scope of the handling terms associated with the disclosure or in
24 violation of any rules promulgated pursuant to the authority of this

1 act. Provided, the following shall not constitute an unauthorized
2 release or unauthorized use of confidential information disseminated
3 pursuant to this section:

4 1. Sharing the confidential information with a law enforcement
5 officer or prosecutorial authority for use in a criminal
6 investigation or prosecution;

7 2. Sharing the confidential information, in exigent
8 circumstances, with leadership of the State or any political
9 subdivision, critical infrastructure personnel, or the target of any
10 threat; or

11 3. Sharing the confidential information with the express
12 authority of the Homeland Security Advisor or designee of the
13 Homeland Security Advisor.

14 D. Information collected or disseminated under the authority of
15 this section shall be privileged and not discoverable nor subject to
16 subpoena or order for production issued by any court, other than
17 production in a district court criminal proceeding for the
18 prosecution of crimes which are the subject of the information
19 sought.

20 SECTION 2. AMENDATORY 74 O.S. 2021, Section 51.1, as
21 last amended by Section 1, Chapter 257, O.S.L. 2024 (74 O.S. Supp.
22 2024, Section 51.1), is amended to read as follows:

23 Section 51.1. A. There is hereby created within the Department
24 of Public Safety, the Office of Homeland Security. The Commissioner

1 of Public Safety shall be the Homeland Security Advisor and shall
2 possess or obtain federally recognized clearances as appropriate to
3 perform the duties of the position. The Commissioner of Public
4 Safety, as Homeland Security Advisor, shall be responsible for the
5 operation and administration of the Office. The Commissioner shall
6 appoint subordinates and employees and may make such expenditures
7 with appropriated funds, or from such other available funds as may
8 be necessary to carry out the purposes of the Oklahoma Homeland
9 Security Act and other programs specified by law.

10 B. The Commissioner may commission any employees appointed to
11 the Office as peace officers. Any member of the Office who receives
12 a commission pursuant to the provisions of this subsection shall
13 exercise the powers and authority of an officer of the Department of
14 Public Safety, as provided for in Section 2-117 of Title 47 of the
15 Oklahoma Statutes, provided such commissions shall be subject to all
16 requirements set forth by the Commissioner, and the Commissioner may
17 set forth any limitations on the power and scope of the commission.
18 All commissioned staff must obtain and maintain certification as
19 full-time peace officers in accordance with the provisions of
20 Section 3311 of Title 70 of the Oklahoma Statutes.

21 C. The Office of Homeland Security shall consist of at least
22 three functions:

- 23 1. Prevention and Intelligence;
- 24 2. Response and Recovery Planning; and

1 3. Awareness and Preparedness.

2 D. Other federal, state, and local personnel may be assigned to
3 the Office of Homeland Security pursuant to an interagency
4 agreement. All positions and personnel of the Office of Homeland
5 Security shall be exempt from the full-time employee limit of the
6 Department of Public Safety.

7 E. The Office of Homeland Security shall have the duty and
8 responsibility to develop and coordinate the implementation and
9 administration of a comprehensive statewide strategy that is
10 integrated into the emergency operations plan to secure this state
11 from the results of acts of terrorism, from a public health
12 emergency, from cyberterrorism, and from weapons of mass destruction
13 as that term is defined in 18 U.S.C., Section 2332a, and to perform
14 other duties assigned by the Commissioner. These duties shall
15 include but not be limited to:

16 1. Representing this state with federal agencies as the state
17 Homeland Security Advisor for purposes of accessing federal funds
18 and cooperating with federal agencies in the development and
19 implementation of a nationwide homeland security plan of response;
20 and

21 2. Coordinating the Homeland Security efforts within this state
22 including working with the Governor and Legislature, state agencies,
23 and local elected officials and local governments, emergency
24 responder groups, private-sector businesses, educational

1 institutions, volunteer organizations, and the general public.
2 State agencies receiving federal funding for homeland security
3 purposes shall report the amount and intended use of those funds to
4 the Office of Homeland Security to ensure efficient use of funds and
5 to avoid duplication of efforts.

6 F. Included in the comprehensive statewide strategy and
7 consistent with the National Strategy for Homeland Security, as
8 promulgated by the Executive Office of the President of the United
9 States, or its successor plan or plans, the Office of Homeland
10 Security shall establish the following strategic objectives for this
11 state:

- 12 1. To prevent terrorist attacks;
- 13 2. To reduce vulnerability to terrorism;
- 14 3. To minimize the damage from and to recover from terrorist
15 attacks; and
- 16 4. Such other duties as the Governor may prescribe.

17 G. The Office of Homeland Security shall have the following
18 duties:

- 19 1. Establish a plan for the effective implementation of a
20 statewide emergency all-hazards response system including the duties
21 and responsibilities of regional emergency response teams;
- 22 2. Create, implement, and administer an advisory system;

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1 3. Coordinate and prepare applications for federal funds
2 related to homeland security and accessing and distributing the
3 federal funds; ~~and~~

4 4. Cooperate with federal agencies in the development and
5 implementation of a nationwide homeland security plan or response;
6 and

7 5. Provide administrative and logistical support to the
8 Oklahoma Counter Terrorism Intelligence Center, which is a unit of
9 the Office of Homeland Security.

10 H. The Office of Homeland Security may enter into contracts,
11 agreements, and memoranda of understanding with any public agency,
12 as defined in Section 1003 of this title, for equipment and
13 personnel, or both, to carry out the requirements of the Oklahoma
14 Homeland Security Act. Such agreements may include any provisions
15 agreed upon by the parties and as required by any federal or state
16 grant, if applicable.

17 I. All state agencies and political subdivisions of this state
18 and all officers and employees of those agencies and political
19 subdivisions are hereby directed to cooperate with and lend
20 assistance to the Office of Homeland Security.

21 J. All personnel, motor vehicles, computer and communications
22 equipment, training equipment, records, furniture, and other
23 property and equipment allocated to the Office of Homeland Security
24 shall remain with the Office of Homeland Security upon its transfer

1 from the Oklahoma Department of Emergency Management to the
2 Department of Public Safety as of the effective date of this act.

3 K. The Homeland Security Advisor is hereby authorized to adopt
4 and enforce such rules as may be necessary for the operation of the
5 Office of Homeland Security and to carry out the powers and duties
6 assigned to the Office by this title.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health or safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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