

An Act

ENROLLED HOUSE
BILL NO. 2258

By: Miller of the House

and

Daniels of the Senate

An Act relating to statutes and reports; enacting the Uniform Electronic Legal Material Act; defining terms; providing for applicability of act; imposing duties on publishers of certain materials; authorizing certain designation; providing for authentication of legal materials; providing for presumption; specifying burden of proof; prescribing requirements for preservation of materials; providing for reasonable public access; prescribing considerations; providing for uniformity; designating effect of act upon certain enactments; providing for codification; and providing an effective date.

SUBJECT: Statutes and reports

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 31.1 of Title 75, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Uniform Electronic Legal Material Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.2 of Title 75, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities;

2. "Legal material" means, whether or not in effect:
 - a. the Constitution of the State of Oklahoma,
 - b. the Oklahoma Session Laws,
 - c. the Oklahoma Statutes,
 - d. the Oklahoma Administrative Code,
 - e. the Oklahoma Register,
 - f. a state agency rule that has or had the effect of law,
or
 - g. the following categories of state administrative
agency decisions:
 - (1) precedential decisions of the Oklahoma Tax
Commission,
 - (2) precedential decisions of the Oklahoma
Corporation Commission,
 - (3) precedential decisions of any other agency,
board, commission, department or other entity of
state government, or
 - h. official opinions of the Attorney General;
3. "Official publisher" means:
 - a. for the Constitution of the State of Oklahoma, the
Oklahoma Secretary of State,
 - b. for the Oklahoma Session Laws, the Oklahoma Secretary
of State,
 - c. for the Oklahoma Statutes, the Oklahoma Secretary of
State,
 - d. for the Oklahoma Administrative Code, the Office of
Administrative Rules within the Office of the Oklahoma
Secretary of State,

- e. for the Oklahoma Register, the Office of Administrative Rules within the Office of the Oklahoma Secretary of State,
- f. for state agency rule that has or had the effect of law, unless published in the Oklahoma Administrative Code by the Office of Administrative Rules within the Office of the Oklahoma Secretary of State, then that specific state agency that promulgates such rule,
- g. for the precedential decisions of the Oklahoma Tax Commission, the Oklahoma Tax Commission,
- h. for the precedential decisions of the Oklahoma Corporation Commission, the Oklahoma Corporation Commission,
- i. for the precedential decisions of any other agency, board, commission, department or other entity of state government, then that specific agency, board, commission, department or other entity of state government that issues such precedential decision,
- j. for the official opinions of the Attorney General, the Office of the Attorney General;

4. "Publish" means to display, present, or release to the public, or cause to be displayed, presented, or released to the public, by the official publisher;

5. "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form; and

6. "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.3 of Title 75, unless there is created a duplication in numbering, reads as follows:

This act applies to all legal material in an electronic record that is designated as official under Section 4 of this act and first published electronically on or after the effective date of this act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.4 of Title 75, unless there is created a duplication in numbering, reads as follows:

A. If an official publisher publishes legal material only in an electronic record, the publisher shall:

1. Designate the electronic record as official; and
2. Comply with Sections 5, 7, and 8 of this act.

B. An official publisher that publishes legal material in an electronic record and also publishes the material in a record other than an electronic record may designate the electronic record as official if the publisher complies with Sections 5, 7, and 8 of this act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.5 of Title 75, unless there is created a duplication in numbering, reads as follows:

An official publisher of legal material in an electronic record that is designated as official under Section 4 of this act shall authenticate the record. To authenticate an electronic record, the publisher shall provide a method for a user to determine that the record received by the user from the publisher is unaltered from the official record published by the publisher.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.6 of Title 75, unless there is created a duplication in numbering, reads as follows:

A. Legal material in an electronic record that is authenticated under Section 5 of this act is presumed to be an accurate copy of the legal material.

B. If another state has adopted a law substantially similar to this act, legal material in an electronic record that is designated as official and authenticated by the official publisher in that state is presumed to be an accurate copy of the legal material.

C. A party contesting the authentication of legal material in an electronic record authenticated under Section 5 of this act has the burden of proving by a preponderance of the evidence that the record is not authentic.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.7 of Title 75, unless there is created a duplication in numbering, reads as follows:

A. An official publisher of legal material in an electronic record that is or was designated as official under Section 4 of this act shall provide for the preservation and security of the record in an electronic form or a form that is not electronic.

B. If legal material is preserved under subsection A of this section in an electronic record, the official publisher shall:

1. Ensure the integrity of the record;
2. Provide for backup and disaster recovery of the record; and
3. Ensure the continuing usability of the material.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.8 of Title 75, unless there is created a duplication in numbering, reads as follows:

An official publisher of legal material in an electronic record that is required to be preserved under Section 7 of this act shall ensure that the material is reasonably available for use by the public on a permanent basis.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.9 of Title 75, unless there is created a duplication in numbering, reads as follows:

In implementing this act, an official publisher of legal material in an electronic record shall consider:

1. Standards and practices of other jurisdictions;
2. The most recent standards regarding authentication of, preservation and security of, and public access to, legal material in an electronic record and other electronic records, as promulgated by national standard-setting bodies;

3. The needs of users of legal material in an electronic record;

4. The views of governmental officials and entities and other interested persons; and

5. To the extent practicable, methods and technologies for the authentication of, preservation and security of, and public access to, legal material which are compatible with the methods and technologies used by other official publishers in this state and in other states that have adopted a law substantially similar to this act.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.10 of Title 75, unless there is created a duplication in numbering, reads as follows:

In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.11 of Title 75, unless there is created a duplication in numbering, reads as follows:

This act modifies, limits, and supersedes the Electronic Signatures in Global and National Commerce Act, 15 U.S.C., Section 7001 et seq., but does not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C., Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C., Section 7003(b).

SECTION 12. This act shall become effective January 1, 2026.

Passed the House of Representatives the 22nd day of May, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 22nd day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____. M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____. M.
By: _____