

1 ENGROSSED HOUSE AMENDMENT

2 TO

2 ENGROSSED SENATE BILL NO. 535

By: Daniels of the Senate

3 and

4 Pae of the House

5  
6  
7 An Act relating to the Oklahoma Open Records Act;  
8 amending 51 O.S. 2021, Sections 24A.3, as last  
9 amended by Section 1, Chapter 358, O.S.L. 2024, and  
10 24A.5, as last amended by Section 2, Chapter 116,  
11 O.S.L. 2024 (51 O.S. Supp. 2024, Sections 24A.3 and  
12 24A.5), which relate to definitions and inspection  
13 and copying of records; modifying definition;  
14 authorizing public body to require advance payment  
15 for certain records requests; requiring return of  
portion of advance payment under certain  
circumstances; authorizing use of form for records  
requests; authorizing public body to request  
clarification for certain records requests;  
establishing requirements for specificity of records  
requests; allowing denial of records requests under  
certain circumstances; updating statutory references;  
updating statutory language; and providing an  
effective date.

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21 AMENDMENT NO. 1. Strike the title, enacting clause, and entire bill  
22 and insert:  
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1           "An Act relating to the Oklahoma Open Records Act;  
2 amending 51 O.S. 2021, Sections 24A.3, as last  
3 amended by Section 1, Chapter 358, O.S.L. 2024, and  
4 24A.5, as last amended by Section 2, Chapter 116,  
5 O.S.L. 2024 (51 O.S. Supp. 2024, Sections 24A.3 and  
6 24A.5), which relate to definitions and inspection  
7 and copying of records; modifying definition;  
8 authorizing public body to require advance payment  
9 for certain records requests; requiring return of  
portion of advance payment under certain  
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clarification for certain records requests;  
establishing requirements for specificity of records  
requests; allowing denial of records requests under  
certain circumstances; updating statutory references;  
updating statutory language; and providing an  
effective date.

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

14

SECTION 1.       AMENDATORY       51 O.S. 2021, Section 24A.3, as

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last amended by Section 1, Chapter 358, O.S.L. 2024 (51 O.S. Supp.

16

2024, Section 24A.3), is amended to read as follows:

17

Section 24A.3. As used in the Oklahoma Open Records Act:

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1. "Record" means all documents including, but not limited to,

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any book, paper, photograph, microfilm, data files created by or

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used with computer software, computer tape, disk, record, sound

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recording, film recording, video record or other material regardless

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of physical form or characteristic, created by, received by, under

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the authority of, or coming into the custody, control or possession

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of public officials, public bodies or their representatives in

connection with the transaction of public business, the expenditure of public funds or the administering of public property. Record shall also mean applications and other documents related to licensure matters that are filed of record in a district court, including, but not limited to, marriage licenses, process server licenses, closing out sale licenses, transient merchant licenses, pool hall licenses, and bail bondsmen registration. Record does not mean:

- a. computer software, or
- b. nongovernment personal effects;

2. "Public body" shall include, but not be limited to, any office, department, board, bureau, commission, agency, trusteeship, authority, council, committee, trust or any entity created by a trust, county, city, village, town, township, district, school district, fair board, court, executive office, advisory group, task force, study group or any subdivision thereof, supported in whole or in part by public funds or entrusted with the expenditure of public funds or administering or operating public property, and all committees, or subcommittees thereof. Except for the records required by Section 24A.4 of this title, public body does not mean judges, justices, the Council on Judicial Complaints, the Legislature or legislators. Public body shall not include an organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and

1      whose sole beneficiary is a college or university, or an affiliated  
2      entity of the college or university, that is a member of The  
3      Oklahoma State System of Higher Education. Such organization shall  
4      not receive direct appropriations from the Legislature. The  
5      following persons shall not be eligible to serve as a voting member  
6      of the governing board of the organization:

- 7            a.     a member, officer, or employee of the Oklahoma State  
8                        Regents for Higher Education,
- 9            b.     a member of the board of regents or other governing  
10                  board of the college or university that is the sole  
11                  beneficiary of the organization, or
- 12            c.     an officer or employee of the college or university  
13                  that is the sole beneficiary of the organization;

14        3. "Public office" means the physical location where public  
15        bodies conduct business or keep records;

16        4. "Public official" means any official or employee of any  
17        public body as defined herein; and

18        5. "Law enforcement agency" means any public body charged with  
19        enforcing state or local criminal laws and initiating criminal  
20        prosecutions including, but not limited to: police departments;  
21        state and local fire marshals when investigating potential  
22        violations of federal, state, or local criminal laws or when acting  
23        on behalf of a law enforcement agency; county sheriffs; the  
24        Department of Public Safety; the Oklahoma State Bureau of Narcotics

1 and Dangerous Drugs Control~~T~~; the Alcoholic Beverage Laws  
2 Enforcement Commission~~T~~; and the Oklahoma State Bureau of  
3 Investigation.

4 SECTION 2. AMENDATORY 51 O.S. 2021, Section 24A.5, as  
5 last amended by Section 2, Chapter 116, O.S.L. 2024 (51 O.S. Supp.  
6 2024, Section 24A.5), is amended to read as follows:

7 Section 24A.5. All records of public bodies and public  
8 officials shall be open to any person for inspection, copying, or  
9 mechanical reproduction during regular business hours; provided:

10 1. The Oklahoma Open Records Act, Sections 24A.1 through ~~24A.30~~  
11 24A.34 of this title, does not apply to records specifically  
12 required by law to be kept confidential including:

13 a. records protected by a state evidentiary privilege  
14 such as the attorney-client privilege, the work  
15 product immunity from discovery and the identity of  
16 informer privileges,

17 b. records of what transpired during meetings of a public  
18 body lawfully closed to the public such as executive  
19 sessions authorized under the Oklahoma Open Meeting  
20 Act,

21 c. personal information within driver records as defined  
22 by the Driver's Privacy Protection Act, 18 ~~United~~  
23 ~~States Code U.S.C.~~, Sections 2721 through 2725,  
24

- 1           d. information in the files of the Board of Medicolegal  
2           Investigations obtained pursuant to Sections 940 and  
3           941 of Title 63 of the Oklahoma Statutes that may be  
4           hearsay, preliminary unsubstantiated investigation-  
5           related findings, or confidential medical information,
- 6           e. any test forms, question banks and answer keys  
7           developed for state licensure examinations, but  
8           specifically excluding test preparation materials or  
9           study guides,
- 10          f. last names, addresses, Social Security numbers or tax  
11          identification numbers, and proof of identification  
12          submitted to the Oklahoma Lottery Commission by  
13          persons claiming a lottery prize,
- 14          g. unless public disclosure is required by other laws or  
15          regulations, vehicle movement records of the Oklahoma  
16          Transportation Authority obtained in connection with  
17          the Authority's electronic toll collection system,
- 18          h. personal financial information, credit reports, or  
19          other financial data obtained by or submitted to a  
20          public body for the purpose of evaluating credit  
21          worthiness, obtaining a license, permit, or for the  
22          purpose of becoming qualified to contract with a  
23          public body,

- 1           i. any digital audio/video recordings of the toll  
2           collection and safeguarding activities of the Oklahoma  
3           Transportation Authority,
- 4           j. any personal information provided by a guest at any  
5           facility owned or operated by the Oklahoma Tourism and  
6           Recreation Department to obtain any service at the  
7           facility or by a purchaser of a product sold by or  
8           through the Oklahoma Tourism and Recreation  
9           Department,
- 10          k. a United States Department of Defense Form 214 (DD  
11           Form 214) filed with a county clerk, including any DD  
12           Form 214 filed before July 1, 2002,
- 13          l. except as provided for in Section 2-110 of Title 47 of  
14           the Oklahoma Statutes:
- 15           (1) any record in connection with a Motor Vehicle  
16           Report issued by the Department of Public Safety,  
17           as prescribed in Section 6-117 of Title 47 of the  
18           Oklahoma Statutes, or
- 19           (2) personal information within driver records, as  
20           defined by the Driver's Privacy Protection Act,  
21           18 U.S.C., Sections 2721 through 2725, which are  
22           stored and maintained by the Department of Public  
23           Safety,

- 1                   m. any portion of any document or information provided to  
2                   an agency or entity of the state or a political  
3                   subdivision to obtain licensure under the laws of this  
4                   state or a political subdivision that contains an  
5                   applicant's personal address, personal phone number,  
6                   personal email address, any government-issued  
7                   identification numbers, or other contact information;  
8                   provided, however, lists of persons licensed, the  
9                   existence of a license of a person, or a business or  
10                  commercial address, or other business or commercial  
11                  information disclosable under state law submitted with  
12                  an application for licensure shall be public record,  
13                  unless the business or commercial address is the same  
14                  as the applicant's personal address, except when the  
15                  applicant permits in writing the disclosure of the  
16                  address,
- 17                  n. an investigative file obtained during an investigation  
18                  conducted by the State Department of Health into  
19                  violations of the Long-Term Care Administrator  
20                  Licensing Act under Title 63 of the Oklahoma Statutes,  
21                  or
- 22                  o. documents, evidence, materials, records, reports,  
23                  complaints, or other information in the possession or  
24                  control of the Attorney General or Insurance

1                   Department pertaining to an evaluation, examination,  
2                   investigation, or review made pursuant to the  
3                   provisions of the Patient's Right to Pharmacy Choice  
4                   Act, the Pharmacy Audit Integrity Act, or Sections 357  
5                   through 360 of Title 59 of the Oklahoma Statutes;

6         2. All Social Security numbers included in a record may be  
7         confidential regardless of the person's status as a public employee  
8         or private individual and may be redacted or deleted prior to  
9         release of the record by the public body;

10        3. Any reasonably segregable portion of a record containing  
11        exempt material shall be provided after deletion of the exempt  
12        portions; provided, however, the Department of Public Safety shall  
13        not be required to assemble for the requesting person specific  
14        information, in any format, from driving records relating to any  
15        person whose name and date of birth or whose driver license number  
16        is not furnished by the requesting person.

17        The Oklahoma State Bureau of Investigation shall not be required  
18        to assemble for the requesting person any criminal history records  
19        relating to persons whose names, dates of birth, and other  
20        identifying information required by the Oklahoma State Bureau of  
21        Investigation pursuant to administrative rule are not furnished by  
22        the requesting person;

23        4. Any request for a record which contains individual records  
24        of persons, and the cost of copying, reproducing or certifying each

1 individual record is otherwise prescribed by state law, the cost may  
2 be assessed for each individual record, or portion thereof requested  
3 as prescribed by state law. Otherwise, a public body may charge a  
4 fee only for recovery of the reasonable, direct costs of record  
5 copying, or mechanical reproduction. Notwithstanding any state or  
6 local provision to the contrary, in no instance shall the record  
7 copying fee exceed twenty-five cents (\$0.25) per page for records  
8 having the dimensions of eight and one-half (8 1/2) by fourteen (14)  
9 inches or smaller, or a maximum of One Dollar (\$1.00) per copied  
10 page for a certified copy. However, if the request:

- 11           a. is solely for commercial purpose, or
- 12           b. would clearly cause excessive disruption of the  
13                 essential functions of the public body,

14 then the public body may charge a reasonable fee to recover the  
15 direct cost of record search and copying; however, publication in a  
16 newspaper or broadcast by news media for news purposes shall not  
17 constitute a resale or use of a record for trade or commercial  
18 purpose and charges for providing copies of electronic data to the  
19 news media for a news purpose shall not exceed the direct cost of  
20 making the copy. The fee charged by the Department of Public Safety  
21 for a copy in a computerized format of a record of the Department  
22 shall not exceed the direct cost of making the copy unless the fee  
23 for the record is otherwise set by law. A public body may require  
24 advance payment of the estimated fees authorized under this section

1   when the estimated cost exceeds Seventy-five Dollars (\$75.00) or if  
2   the requestor has outstanding fees from previous requests. Any  
3   portion of an advance payment that exceeds the costs of responding  
4   to the request shall be returned to the requestor.

5       Any public body establishing fees under ~~this act~~ the Oklahoma  
6   Open Records Act shall post a written schedule of the fees at its  
7   principal office and with the county clerk.

8       In no case shall a search fee be charged when the release of  
9   records is in the public interest, including, but not limited to,  
10   release to the news media, scholars, authors and taxpayers seeking  
11   to determine whether those entrusted with the affairs of the  
12   government are honestly, faithfully, and competently performing  
13   their duties as public servants.

14       The fees shall not be used for the purpose of discouraging  
15   requests for information or as obstacles to disclosure of requested  
16   information;

17       5. The land description tract index of all recorded instruments  
18   concerning real property required to be kept by the county clerk of  
19   any county shall be available for inspection or copying in  
20   accordance with the provisions of the Oklahoma Open Records Act;  
21   provided, however, the index shall not be copied or mechanically  
22   reproduced for the purpose of sale of the information;

23       6. A public body must provide prompt, reasonable access to its  
24   records but may establish reasonable procedures which protect the

1      integrity and organization of its records and to prevent excessive  
2      disruptions of its essential functions. A delay in providing access  
3      to records shall be limited solely to the time required for  
4      preparing the requested documents and the avoidance of excessive  
5      disruptions of the public body's essential functions. In no event  
6      may production of a current request for records be unreasonably  
7      delayed until after completion of a prior records request that will  
8      take substantially longer than the current request. Any public body  
9      which makes the requested records available on the Internet shall  
10     meet the obligation of providing prompt, reasonable access to its  
11     records as required by this paragraph;

12       7. A public body may require a requestor to complete a records  
13       request form. If a records request does not describe the requested  
14       records with reasonable specificity, a public body may ask the  
15       requestor to clarify the request. To have reasonable specificity, a  
16       request shall:

- 17           a.    specify a general time frame within which the  
18            requested records would have been created or  
19            transmitted,  
20           b.    seek identifiable records, rather than general  
21            information without any qualifiers or other  
22            specifications, and

1           c. include search terms that are sufficiently specific to  
2                           assist the public body in identifying the requested  
3                           records.

4               If a public body has engaged with the requestor to seek the  
5               information needed to fulfill the request and to identify the  
6               records sought by the requestor, including providing the requestor  
7               with general topics or a specific list of records related to the  
8               request, the request may be denied if it is still not reasonably  
9               specific; and

10              7. 8. A public body shall designate certain persons who are  
11               authorized to release records of the public body for inspection,  
12               copying, or mechanical reproduction. At least one person shall be  
13               available at all times to release records during the regular  
14               business hours of the public body.

15              SECTION 3. This act shall become effective November 1, 2025."

Passed the House of Representatives the 7th day of May, 2025.

Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2025.

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Presiding Officer of the Senate

1 ENGROSSED SENATE  
2 BILL NO. 535

3 By: Daniels of the Senate

4 and

5 Pae of the House

6 An Act relating to the Oklahoma Open Records Act;  
7 amending 51 O.S. 2021, Sections 24A.3, as last  
8 amended by Section 1, Chapter 358, O.S.L. 2024, and  
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10 O.S.L. 2024 (51 O.S. Supp. 2024, Sections 24A.3 and  
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certain circumstances; updating statutory references;  
updating statutory language; and providing an  
effective date.

15  
16  
17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 4. AMENDATORY 51 O.S. 2021, Section 24A.3, as

19 last amended by Section 1, Chapter 358, O.S.L. 2024 (51 O.S. Supp.  
20 2024, Section 24A.3), is amended to read as follows:

21 Section 24A.3. As used in the Oklahoma Open Records Act:

22 1. "Record" means all documents including, but not limited to,  
23 any book, paper, photograph, microfilm, data files created by or

1 used with computer software, computer tape, disk, record, sound  
2 recording, film recording, video record or other material regardless  
3 of physical form or characteristic, created by, received by, under  
4 the authority of, or coming into the custody, control or possession  
5 of public officials, public bodies or their representatives in  
6 connection with the transaction of public business, the expenditure  
7 of public funds or the administering of public property. Record  
8 shall also mean applications and other documents related to  
9 licensure matters that are filed of record in a district court,  
10 including, but not limited to, marriage licenses, process server  
11 licenses, closing out sale licenses, transient merchant licenses,  
12 pool hall licenses, and bail bondsmen registration. Record does not  
13 mean:

- 14           a. computer software, or
- 15           b. nongovernment personal effects;

16       2. "Public body" shall include, but not be limited to, any  
17 office, department, board, bureau, commission, agency, trusteeship,  
18 authority, council, committee, trust or any entity created by a  
19 trust, county, city, village, town, township, district, school  
20 district, fair board, court, executive office, advisory group, task  
21 force, study group or any subdivision thereof, supported in whole or  
22 in part by public funds or entrusted with the expenditure of public  
23 funds or administering or operating public property, and all  
24 committees, or subcommittees thereof. Except for the records

1 required by Section 24A.4 of this title, public body does not mean  
2 judges, justices, the Council on Judicial Complaints, the  
3 Legislature or legislators. Public body shall not include an  
4 organization that is exempt from federal income tax under Section  
5 501(c)(3) of the Internal Revenue Code of 1986, as amended, and  
6 whose sole beneficiary is a college or university, or an affiliated  
7 entity of the college or university, that is a member of The  
8 Oklahoma State System of Higher Education. Such organization shall  
9 not receive direct appropriations from the Legislature. The  
10 following persons shall not be eligible to serve as a voting member  
11 of the governing board of the organization:

a. a member, officer, or employee of the Oklahoma State Regents for Higher Education,

- b. a member of the board of regents or other governing board of the college or university that is the sole beneficiary of the organization, or

c. an officer or employee of the college or university  
that is the sole beneficiary of the organization;

3. "Public office" means the physical location where public

20 bodies conduct business or keep records;

4. "Public official" means any official or employee of any

22 public body as defined herein; and

5. "Law enforcement agency" means any public body charged with enforcing state or local criminal laws and initiating criminal

1 | prosecutions including, but not limited to: police departments;  
2 | state and local fire marshals when investigating potential  
3 | violations of federal, state, or local criminal laws or when acting  
4 | on behalf of a law enforcement agency; county sheriffs; the  
5 | Department of Public Safety; the Oklahoma State Bureau of Narcotics  
6 | and Dangerous Drugs Control; the Alcoholic Beverage Laws  
7 | Enforcement Commission; and the Oklahoma State Bureau of  
8 | Investigation.

9 | SECTION 5. AMENDATORY 51 O.S. 2021, Section 24A.5, as  
10 | last amended by Section 2, Chapter 116, O.S.L. 2024 (51 O.S. Supp.  
11 | 2024, Section 24A.5), is amended to read as follows:

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13 | officials shall be open to any person for inspection, copying, or  
14 | mechanical reproduction during regular business hours; provided:

15 | 1. The Oklahoma Open Records Act, Sections 24A.1 through ~~24A.30~~  
16 | 24A.34 of this title, does not apply to records specifically  
17 | required by law to be kept confidential including:

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19 | such as the attorney-client privilege, the work  
20 | product immunity from discovery and the identity of  
21 | informer privileges,

22 | b. records of what transpired during meetings of a public  
23 | body lawfully closed to the public such as executive

24 |

- 1 sessions authorized under the Oklahoma Open Meeting  
2 Act,
- 3 c. personal information within driver records as defined  
4 by the Driver's Privacy Protection Act, 18 ~~United~~  
5 ~~States Code U.S.C.~~, Sections 2721 through 2725,
- 6 d. information in the files of the Board of Medicolegal  
7 Investigations obtained pursuant to Sections 940 and  
8 941 of Title 63 of the Oklahoma Statutes that may be  
9 hearsay, preliminary unsubstantiated investigation-  
10 related findings, or confidential medical information,
- 11 e. any test forms, question banks and answer keys  
12 developed for state licensure examinations, but  
13 specifically excluding test preparation materials or  
14 study guides,
- 15 f. last names, addresses, Social Security numbers or tax  
16 identification numbers, and proof of identification  
17 submitted to the Oklahoma Lottery Commission by  
18 persons claiming a lottery prize,
- 19 g. unless public disclosure is required by other laws or  
20 regulations, vehicle movement records of the Oklahoma  
21 Transportation Authority obtained in connection with  
22 the Authority's electronic toll collection system,
- 23 h. personal financial information, credit reports, or  
24 other financial data obtained by or submitted to a

- 1                   public body for the purpose of evaluating credit  
2                   worthiness, obtaining a license, permit, or for the  
3                   purpose of becoming qualified to contract with a  
4                   public body,  
5                 i.       any digital audio/video recordings of the toll  
6                   collection and safeguarding activities of the Oklahoma  
7                   Transportation Authority,  
8                 j.       any personal information provided by a guest at any  
9                   facility owned or operated by the Oklahoma Tourism and  
10                  Recreation Department to obtain any service at the  
11                  facility or by a purchaser of a product sold by or  
12                  through the Oklahoma Tourism and Recreation  
13                  Department,  
14                 k.       a United States Department of Defense Form 214 (DD  
15                  Form 214) filed with a county clerk, including any DD  
16                  Form 214 filed before July 1, 2002,  
17                 l.       except as provided for in Section 2-110 of Title 47 of  
18                  the Oklahoma Statutes:  
19                   (1)      any record in connection with a Motor Vehicle  
20                   Report issued by the Department of Public Safety,  
21                   as prescribed in Section 6-117 of Title 47 of the  
22                   Oklahoma Statutes, or  
23                   (2)      personal information within driver records, as  
24                   defined by the Driver's Privacy Protection Act,

1                   18 U.S.C., Sections 2721 through 2725, which are  
2                   stored and maintained by the Department of Public  
3                   Safety,

- 4                   m. any portion of any document or information provided to  
5                   an agency or entity of the state or a political  
6                   subdivision to obtain licensure under the laws of this  
7                   state or a political subdivision that contains an  
8                   applicant's personal address, personal phone number,  
9                   personal email address, any government-issued  
10                  identification numbers, or other contact information;  
11                  provided, however, lists of persons licensed, the  
12                  existence of a license of a person, or a business or  
13                  commercial address, or other business or commercial  
14                  information disclosable under state law submitted with  
15                  an application for licensure shall be public record,  
16                  unless the business or commercial address is the same  
17                  as the applicant's personal address, except when the  
18                  applicant permits in writing the disclosure of the  
19                  address,

- 20                  n. an investigative file obtained during an investigation  
21                  conducted by the State Department of Health into  
22                  violations of the Long-Term Care Administrator  
23                  Licensing Act under Title 63 of the Oklahoma Statutes,  
24                  or

1           o. documents, evidence, materials, records, reports,  
2           complaints, or other information in the possession or  
3           control of the Attorney General or Insurance  
4           Department pertaining to an evaluation, examination,  
5           investigation, or review made pursuant to the  
6           provisions of the Patient's Right to Pharmacy Choice  
7           Act, the Pharmacy Audit Integrity Act, or Sections 357  
8           through 360 of Title 59 of the Oklahoma Statutes, or

9           p. records sought by a party or the party's  
10           representative to a pending civil litigation or  
11           criminal prosecution in which the records may be  
12           sought through a subpoena process;

13           2. All Social Security numbers included in a record may be  
14           confidential regardless of the person's status as a public employee  
15           or private individual and may be redacted or deleted prior to  
16           release of the record by the public body;

17           3. Any reasonably segregable portion of a record containing  
18           exempt material shall be provided after deletion of the exempt  
19           portions; provided, however, the Department of Public Safety shall  
20           not be required to assemble for the requesting person specific  
21           information, in any format, from driving records relating to any  
22           person whose name and date of birth or whose driver license number  
23           is not furnished by the requesting person.

1       The Oklahoma State Bureau of Investigation shall not be required  
2 to assemble for the requesting person any criminal history records  
3 relating to persons whose names, dates of birth, and other  
4 identifying information required by the Oklahoma State Bureau of  
5 Investigation pursuant to administrative rule are not furnished by  
6 the requesting person;

7       4. Any request for a record which contains individual records  
8 of persons, and the cost of copying, reproducing or certifying each  
9 individual record is otherwise prescribed by state law, the cost may  
10 be assessed for each individual record, or portion thereof requested  
11 as prescribed by state law. Otherwise, a public body may charge a  
12 fee only for recovery of the reasonable, direct costs of record  
13 copying, or mechanical reproduction. Notwithstanding any state or  
14 local provision to the contrary, in no instance shall the record  
15 copying fee exceed twenty-five cents (\$0.25) per page for records  
16 having the dimensions of eight and one-half (8 1/2) by fourteen (14)  
17 inches or smaller, or a maximum of One Dollar (\$1.00) per copied  
18 page for a certified copy. However, if the request:

- 19           a. is solely for commercial purpose, or  
20           b. would clearly cause excessive disruption of the  
21                   essential functions of the public body,

22 then the public body may charge a reasonable fee to recover the  
23 direct cost of record search and copying; however, publication in a  
24 newspaper or broadcast by news media for news purposes shall not

1 | constitute a resale or use of a record for trade or commercial  
2 | purpose and charges for providing copies of electronic data to the  
3 | news media for a news purpose shall not exceed the direct cost of  
4 | making the copy. The fee charged by the Department of Public Safety  
5 | for a copy in a computerized format of a record of the Department  
6 | shall not exceed the direct cost of making the copy unless the fee  
7 | for the record is otherwise set by law. A public body may require  
8 | advance payment of the estimated fees authorized under this section  
9 | when the estimated cost exceeds Seventy-five Dollars (\$75.00) or if  
10 | the requestor has outstanding fees from previous requests. Any  
11 | portion of an advance payment that exceeds the costs of responding  
12 | to the request shall be returned to the requestor.

13 | Any public body establishing fees under ~~this act~~ the Oklahoma  
14 | Open Records Act shall post a written schedule of the fees at its  
15 | principal office and with the county clerk.

16 | In no case shall a search fee be charged when the release of  
17 | records is in the public interest, including, but not limited to,  
18 | release to the news media, scholars, authors and taxpayers seeking  
19 | to determine whether those entrusted with the affairs of the  
20 | government are honestly, faithfully, and competently performing  
21 | their duties as public servants.

22 | The fees shall not be used for the purpose of discouraging  
23 | requests for information or as obstacles to disclosure of requested  
24 | information;

1       5. The land description tract index of all recorded instruments  
2 concerning real property required to be kept by the county clerk of  
3 any county shall be available for inspection or copying in  
4 accordance with the provisions of the Oklahoma Open Records Act;  
5 provided, however, the index shall not be copied or mechanically  
6 reproduced for the purpose of sale of the information;

7       6. A public body must provide prompt, reasonable access to its  
8 records but may establish reasonable procedures which protect the  
9 integrity and organization of its records and to prevent excessive  
10 disruptions of its essential functions. A delay in providing access  
11 to records shall be limited solely to the time required for  
12 preparing the requested documents and the avoidance of excessive  
13 disruptions of the public body's essential functions. In no event  
14 may production of a current request for records be unreasonably  
15 delayed until after completion of a prior records request that will  
16 take substantially longer than the current request. Any public body  
17 which makes the requested records available on the Internet shall  
18 meet the obligation of providing prompt, reasonable access to its  
19 records as required by this paragraph;

20       7. A public body may require a requestor to complete a records  
21 request form. If a records request does not describe the requested  
22 records with reasonable specificity, a public body may ask the  
23 requestor to clarify the request. To have reasonable specificity, a  
24 request shall:

- 1           a. specify a general time frame within which the  
2           requested records would have been created or  
3           transmitted,  
4           b. seek identifiable records, rather than general  
5           information without any qualifiers or other  
6           specifications, and  
7           c. include search terms that are sufficiently specific to  
8           assist the public body in identifying the requested  
9           records.

10          If a public body has engaged with the requestor to seek the  
11         information needed to fulfill the request and to identify the  
12         records sought by the requestor, including providing the requestor  
13         with general topics or a specific list of records related to the  
14         request, the request may be denied if it is still not reasonably  
15         specific; and

16          7. 8. A public body shall designate certain persons who are  
17         authorized to release records of the public body for inspection,  
18         copying, or mechanical reproduction. At least one person shall be  
19         available at all times to release records during the regular  
20         business hours of the public body.

21          SECTION 6. This act shall become effective November 1, 2025.  
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Passed the Senate the 10th day of March, 2025.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_\_ day of \_\_\_\_\_,  
2025.

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Presiding Officer of the House  
of Representatives