

1 ENGROSSED HOUSE  
2 BILL NO. 2095

3 By: Menz of the House

4 and

5 Kirt of the Senate

6

7 An Act relating to the Oklahoma Open Records Act;  
8 amending 51 O.S. 2021, Section 24A.5, as last amended  
9 by Section 2, Chapter 116, O.S.L. 2024 (51 O.S. Supp.  
10 2024, Section 24A.5), which relates to the  
inspection, copying, and mechanical reproduction of  
records; modifying records response procedures; and  
providing an effective date.

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

14 SECTION 1. AMENDATORY 51 O.S. 2021, Section 24A.5, as  
15 last amended by Section 2, Chapter 116, O.S.L. 2024 (51 O.S. Supp.  
16 2024, Section 24A.5), is amended to read as follows:

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

20 1. The Oklahoma Open Records Act, Sections 24A.1 through 24A.30  
21 of this title, does not apply to records specifically required by  
22 law to be kept confidential including:

23 a. records protected by a state evidentiary privilege  
24 such as the attorney-client privilege, the work

- product immunity from discovery and the identity of  
informer privileges,
- b. records of what transpired during meetings of a public  
body lawfully closed to the public such as executive  
sessions authorized under the Oklahoma Open Meeting  
Act,
- c. personal information within driver records as defined  
by the Driver's Privacy Protection Act, 18 United  
States Code, Sections 2721 through 2725,
- d. information in the files of the Board of Medicolegal  
Investigations obtained pursuant to Sections 940 and  
941 of Title 63 of the Oklahoma Statutes that may be  
hearsay, preliminary unsubstantiated investigation-  
related findings, or confidential medical information,
- e. any test forms, question banks and answer keys  
developed for state licensure examinations, but  
specifically excluding test preparation materials or  
study guides,
- f. last names, addresses, Social Security numbers or tax  
identification numbers, and proof of identification  
submitted to the Oklahoma Lottery Commission by  
persons claiming a lottery prize,
- g. unless public disclosure is required by other laws or  
regulations, vehicle movement records of the Oklahoma

Transportation Authority obtained in connection with the Authority's electronic toll collection system,

- h. personal financial information, credit reports, or other financial data obtained by or submitted to a public body for the purpose of evaluating credit worthiness, obtaining a license, permit, or for the purpose of becoming qualified to contract with a public body,
  - i. any digital audio/video recordings of the toll collection and safeguarding activities of the Oklahoma Transportation Authority,
  - j. any personal information provided by a guest at any facility owned or operated by the Oklahoma Tourism and Recreation Department to obtain any service at the facility or by a purchaser of a product sold by or through the Oklahoma Tourism and Recreation Department,
  - k. a Department of Defense Form 214 (DD Form 214) filed with a county clerk, including any DD Form 214 filed before July 1, 2002,
  - l. except as provided for in Section 2-110 of Title 47 of the Oklahoma Statutes:
    - (1) any record in connection with a Motor Vehicle Report issued by the Department of Public Safety,

as prescribed in Section 6-117 of Title 47 of the  
Oklahoma Statutes, or

(2) personal information within driver records, as defined by the Driver's Privacy Protection Act, 18 U.S.C., Sections 2721 through 2725, which are stored and maintained by the Department of Public Safety,

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

1           n. an investigative file obtained during an investigation  
2           conducted by the State Department of Health into  
3           violations of the Long-Term Care Administrator  
4           Licensing Act under Title 63 of the Oklahoma Statutes,  
5           or

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

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

18         3. Any reasonably segregable portion of a record containing  
19         exempt material shall be provided after deletion of the exempt  
20         portions; provided however, the Department of Public Safety shall  
21         not be required to assemble for the requesting person specific  
22         information, in any format, from driving records relating to any  
23         person whose name and date of birth or whose driver license number  
24         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.

8 | Any public body establishing fees under this act shall post a  
9 | written schedule of the fees at its principal office and with the  
10 | county clerk.

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

17 | The fees shall not be used for the purpose of discouraging  
18 | requests for information or as obstacles to disclosure of requested  
19 | information;

20 | 5. The land description tract index of all recorded instruments  
21 | concerning real property required to be kept by the county clerk of  
22 | any county shall be available for inspection or copying in  
23 | accordance with the provisions of the Oklahoma Open Records Act;

1 provided, however, the index shall not be copied or mechanically  
2 reproduced for the purpose of sale of the information;

3       6. A public body must provide prompt, reasonable access to its  
4 records but may establish reasonable procedures which protect the  
5 integrity and organization of its records and to prevent excessive  
6 disruptions of its essential functions. A delay in providing access  
7 to records shall be limited solely to the time required for  
8 preparing the requested documents and the avoidance of excessive  
9 disruptions of the public body's essential functions. In no event  
10 may production of a current request for records be unreasonably  
11 delayed until after completion of a prior records request that will  
12 take substantially longer than the current request. Any public body  
13 which makes the requested records available on the Internet shall  
14 meet the obligation of providing prompt, reasonable access to its  
15 records as required by this paragraph. Public bodies shall respond  
16 to a records request within thirty (30) business days of receipt;

17 and

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

23 SECTION 2. This act shall become effective November 1, 2025.  
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Passed the House of Representatives the 26th day of March, 2025.

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Presiding Officer of the House  
of Representatives

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

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Presiding Officer of the Senate