

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2720

By: Ford

6 AS INTRODUCED

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

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

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

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

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

9 C. Any information disseminated pursuant to this section shall
10 be confidential and the recipients of such information shall comply
11 with the handling terms associated with the disclosure.

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

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

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

8 3. Sharing the confidential information with the express
9 authority of the Homeland Security Advisor or designee of the
10 Homeland Security Advisor.

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

17 SECTION 2. AMENDATORY 74 O.S. 2021, Section 51.1, as
18 last amended by Section 1, Chapter 257, O.S.L. 2024 (74 O.S. Supp.
19 2024, Section 51.1), is amended to read as follows:

20 Section 51.1. A. There is hereby created within the Department
21 of Public Safety, the Office of Homeland Security. The Commissioner
22 of Public Safety shall be the Homeland Security Advisor and shall
23 possess or obtain federally recognized clearances as appropriate to
24 perform the duties of the position. The Commissioner of Public

1 Safety, as Homeland Security Advisor, shall be responsible for the
2 operation and administration of the Office. The Commissioner shall
3 appoint subordinates and employees and may make such expenditures
4 with appropriated funds, or from such other available funds as may
5 be necessary to carry out the purposes of the Oklahoma Homeland
6 Security Act and other programs specified by law.

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

18 C. The Office of Homeland Security shall consist of at least
19 three functions:

- 20 1. Prevention and Intelligence;
- 21 2. Response and Recovery Planning; and
- 22 3. Awareness and Preparedness.

23 D. Other federal, state, and local personnel may be assigned to
24 the Office of Homeland Security pursuant to an interagency

1 agreement. All positions and personnel of the Office of Homeland
2 Security shall be exempt from the full-time employee limit of the
3 Department of Public Safety.

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

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

18 2. Coordinating the Homeland Security efforts within this state
19 including working with the Governor and Legislature, state agencies,
20 and local elected officials and local governments, emergency
21 responder groups, private-sector businesses, educational
22 institutions, volunteer organizations, and the general public.
23 State agencies receiving federal funding for homeland security
24 purposes shall report the amount and intended use of those funds to

1 the Office of Homeland Security to ensure efficient use of funds and
2 to avoid duplication of efforts.

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

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

14 G. The Office of Homeland Security shall have the following
15 duties:

- 16 1. Establish a plan for the effective implementation of a
17 statewide emergency all-hazards response system including the duties
18 and responsibilities of regional emergency response teams;
- 19 2. Create, implement, and administer an advisory system;
- 20 3. Coordinate and prepare applications for federal funds
21 related to homeland security and accessing and distributing the
22 federal funds; and
- 23 4. Cooperate with federal agencies in the development and
24 implementation of a nationwide homeland security plan or response.

1 H. The Office of Homeland Security may enter into contracts,
2 agreements, and memoranda of understanding with any public agency,
3 as defined in Section 1003 of this title, for equipment and
4 personnel, or both, to carry out the requirements of the Oklahoma
5 Homeland Security Act. Such agreements may include any provisions
6 agreed upon by the parties and as required by any federal or state
7 grant, if applicable.

8 I. All state agencies and political subdivisions of this state
9 and all officers and employees of those agencies and political
10 subdivisions are hereby directed to cooperate with and lend
11 assistance to the Office of Homeland Security.

12 J. All personnel, motor vehicles, computer and communications
13 equipment, training equipment, records, furniture, and other
14 property and equipment allocated to the Office of Homeland Security
15 shall remain with the Office of Homeland Security upon its transfer
16 from the Oklahoma Department of Emergency Management to the
17 Department of Public Safety as of the effective date of this act.

18 K. The Commissioner is hereby authorized to adopt and enforce
19 such rules as may be necessary for the operation of the Office of
20 Homeland Security and to carry out the powers and duties assigned to
21 the Office by this title.

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

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