

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   COMMITTEE SUBSTITUTE  
FOR  
5                   HOUSE BILL NO. 2720

By: Ford of the House

6                   and

7                   **Hamilton** of the Senate

10                  COMMITTEE SUBSTITUTE

11                  An Act relating to state government; creating the  
12                  Targeted Violence Prevention Act; authorizing the  
13                  Department of Homeland Security and Oklahoma Counter  
14                  Terrorism Intelligence Center to collect, analyze,  
15                  and disseminate certain information to law  
16                  enforcement and public safety agencies; deeming  
17                  disseminated information as confidential; making  
18                  certain acts unlawful; providing penalties; defining  
19                  terms; allowing for the release or use of  
20                  confidential information under certain circumstances;  
making information privileged, not discoverable and  
not subject to subpoena; amending 74 O.S. 2021,  
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;  
expanding scope of duties; authorizing the Homeland  
Security Advisor to adopt and enforce certain  
necessary rules; providing for codification; and  
declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 51.1b of Title 74, unless there  
3 is created a duplication in numbering, reads as follows:

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

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

15 C. Any information disseminated pursuant to this section shall  
16 be confidential and the recipients of such information shall comply  
17 with the handling terms associated with the disclosure.

18 Unauthorized release or unauthorized use of information disseminated  
19 pursuant to this section shall be a misdemeanor and shall be  
20 punishable by incarceration in the county jail for a term not  
21 exceeding one (1) year, or a fine not exceeding Fifty Thousand  
22 Dollars (\$50,000.00), or by both such fine and imprisonment. As  
23 used in this subsection, "unauthorized release" or "unauthorized  
24 use" shall include, but not be limited to, disseminating or

1 | disclosing confidential information in a manner which exceeds the  
2 | scope of the handling terms associated with the disclosure or in  
3 | violation of any rules promulgated pursuant to the authority of this  
4 | act. Provided, the following shall not constitute an unauthorized  
5 | release or unauthorized use of confidential information disseminated  
6 | pursuant to this section:

7 |       1. Sharing the confidential information with a law enforcement  
8 | officer or prosecutorial authority for use in a criminal  
9 | investigation or prosecution;

10 |       2. Sharing the confidential information, in exigent  
11 | circumstances, with leadership of the State or any political  
12 | subdivision, critical infrastructure personnel, or the target of any  
13 | threat; or

14 |       3. Sharing the confidential information with the express  
15 | authority of the Homeland Security Advisor or designee of the  
16 | Homeland Security Advisor.

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

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1 SECTION 2. AMENDATORY 74 O.S. 2021, Section 51.1, as  
2 last amended by Section 1, Chapter 257, O.S.L. 2024 (74 O.S. Supp.  
3 2024, Section 51.1), is amended to read as follows:

4       Section 51.1. A. There is hereby created within the Department  
5 of Public Safety, the Office of Homeland Security. The Commissioner  
6 of Public Safety shall be the Homeland Security Advisor and shall  
7 possess or obtain federally recognized clearances as appropriate to  
8 perform the duties of the position. The Commissioner of Public  
9 Safety, as Homeland Security Advisor, shall be responsible for the  
10 operation and administration of the Office. The Commissioner shall  
11 appoint subordinates and employees and may make such expenditures  
12 with appropriated funds, or from such other available funds as may  
13 be necessary to carry out the purposes of the Oklahoma Homeland  
14 Security Act and other programs specified by law.

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

3 C. The Office of Homeland Security shall consist of at least  
4 three functions:

- 5 1. Prevention and Intelligence;
- 6 2. Response and Recovery Planning; and
- 7 3. Awareness and Preparedness.

8 D. Other federal, state, and local personnel may be assigned to  
9 the Office of Homeland Security pursuant to an interagency  
10 agreement. All positions and personnel of the Office of Homeland  
11 Security shall be exempt from the full-time employee limit of the  
12 Department of Public Safety.

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

22 1. Representing this state with federal agencies as the state  
23 Homeland Security Advisor for purposes of accessing federal funds  
24 and cooperating with federal agencies in the development and

1 implementation of a nationwide homeland security plan of response;

2 and

3       2. Coordinating the Homeland Security efforts within this state  
4 including working with the Governor and Legislature, state agencies,  
5 and local elected officials and local governments, emergency  
6 responder groups, private-sector businesses, educational  
7 institutions, volunteer organizations, and the general public.

8 State agencies receiving federal funding for homeland security  
9 purposes shall report the amount and intended use of those funds to  
10 the Office of Homeland Security to ensure efficient use of funds and  
11 to avoid duplication of efforts.

12       F. Included in the comprehensive statewide strategy and  
13 consistent with the National Strategy for Homeland Security, as  
14 promulgated by the Executive Office of the President of the United  
15 States, or its successor plan or plans, the Office of Homeland  
16 Security shall establish the following strategic objectives for this  
17 state:

18       1. To prevent terrorist attacks;

19       2. To reduce vulnerability to terrorism;

20       3. To minimize the damage from and to recover from terrorist  
21 attacks; and

22       4. Such other duties as the Governor may prescribe.

23       G. The Office of Homeland Security shall have the following  
24 duties:

1       1. Establish a plan for the effective implementation of a  
2 statewide emergency all-hazards response system including the duties  
3 and responsibilities of regional emergency response teams;

4       2. Create, implement, and administer an advisory system;

5       3. Coordinate and prepare applications for federal funds  
6 related to homeland security and accessing and distributing the  
7 federal funds; and

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

11       5. Provide administrative and logistical support to the  
12 Oklahoma Counter Terrorism Intelligence Center, which is a unit of  
13 the Office of Homeland Security.

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

21       I. All state agencies and political subdivisions of this state  
22 and all officers and employees of those agencies and political  
23 subdivisions are hereby directed to cooperate with and lend  
24 assistance to the Office of Homeland Security.

1       J. All personnel, motor vehicles, computer and communications  
2 equipment, training equipment, records, furniture, and other  
3 property and equipment allocated to the Office of Homeland Security  
4 shall remain with the Office of Homeland Security upon its transfer  
5 from the Oklahoma Department of Emergency Management to the  
6 Department of Public Safety as of the effective date of this act.

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

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

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16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY  
OVERSIGHT, dated 03/04/2025 - DO PASS, As Amended and Coauthored.  
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