

SENATE FLOOR VERSION

March 4, 2025

3 COMMITTEE SUBSTITUTE
FOR
4 SENATE BILL NO. 646

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By: Paxton of the Senate

and

Hilbert of the House

An Act relating to judicial and federal official security and privacy; amending Sections 1, 2, 3, and 5, Chapter 350, O.S.L. 2023 (20 O.S. Supp. 2024, Sections 3011, 3012, 3013, and 3015), which relate to the Oklahoma Judicial Security and Privacy Act of 2023; creating the Oklahoma Federal Official and Judicial Security and Privacy Act of 2025; modifying short title; modifying definition; modifying certain exception for access to certain records; modifying required contents of certain report; amending 26 O.S. 2021, Section 4-115.2, as amended by Section 2, Chapter 147, O.S.L. 2023 (26 O.S. Supp. 2024, Section 4-115.2), which relates to confidentiality of residence and mailing address; adding elected federal officials to certain class; updating statutory references; updating statutory language; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 350, O.S.L.

2023 (20 O.S. Supp. 2024, Section 3011), is amended to read as follows:

1 Section 3011. This act shall be known and may be cited as the
2 "Oklahoma Federal Official and Judicial Security and Privacy Act of
3 2023 2025".

4 SECTION 2. AMENDATORY Section 2, Chapter 350, O.S.L.

5 2023 (20 O.S. Supp. 2024, Section 3012), is amended to read as
6 follows:

7 Section 3012. As used in ~~this act~~ the Oklahoma Federal Official
8 and Judicial Security and Privacy Act of 2025:

9 1. The term "at-risk individual" means any current elected
10 federal official of this state or active or retired member of the
11 State Judiciary, and shall also include municipal, county, tribal,
12 and federal judges;

13 2. The term "commercial entity" means any corporation,
14 partnership, limited partnership, proprietorship, sole
15 proprietorship, firm, enterprise, franchise, or association engaged
16 in the buying or selling of goods or services for profit;

17 3. The term "covered information" means:

- 18 a. a home address, including primary residence or
19 secondary residences of an at-risk individual,
20 b. a home or personal mobile telephone number, or the
21 direct telephone number of a government-issued cell
22 phone or private extension in the chambers of an at-
23 risk individual,
24 c. a personal email address of an at-risk individual,

- 1 d. the Social Security number, driver license number, or
2 home address displayed on voter registration
3 information of an at-risk individual,
4 e. the bank account or credit or debit card information
5 of an at-risk individual,
6 f. the home or other address displayed on property tax
7 records or held by a federal, state, or local
8 government agency of an at-risk individual, including
9 any secondary residence and any investment property at
10 which an at-risk individual resides for part of a
11 year,
12 g. a license plate number or home address displayed on
13 vehicle registration information of an at-risk
14 individual,
15 h. the identification of children under the age of
16 eighteen (18) of an at-risk individual or any child
17 under the age of twenty-six (26) whose permanent
18 residence is the home of the at-risk individual,
19 i. the full date of birth,
20 j. a photograph of any vehicle that legibly displays the
21 license plate or a photograph of a residence that
22 legibly displays the address of the residence of an
23 at-risk individual,
24

- 1 k. the name and address of a school or day care facility
2 attended by immediate family of an at-risk individual,
3 l. the name and address of an employer of immediate
4 family of an at-risk individual, or
5 m. the name and address of a place of worship the at-risk
6 individual or immediate family of an at-risk
7 individual attends;

8 4. The term "immediate family" means a spouse, child, or parent
9 of an at-risk individual or any other familial relative of an at-
10 risk individual whose permanent residence is the same as the at-risk
11 individual;

12 5. The term "social media" means any online electronic medium
13 or a live chat system that:

- 14 a. primarily serves as a medium for users to interact
15 with content generated by other third-party users of
16 the medium,
17 b. enables users to create accounts or profiles specific
18 to the medium or to import profiles from another
19 medium, and
20 c. enables one or more users to generate content that can
21 be viewed by other third-party users of the medium;

22 6. The term "state agency" means:

- 23 a. an executive agency, as defined by Oklahoma Statute,

- b. any county, local or municipal governing body, or regulatory body, and
- c. any state agency in the judicial branch or legislative branch; and

7. The term "transfer" means to sell, license, trade, or

exchange for consideration the covered information of an at-risk individual or immediate family.

SECTION 3. AMENDATORY Section 3, Chapter 350, O.S.L.

2023 (20 O.S. Supp. 2024, Section 3013), is amended to read as follows:

Section 3013. A. Each at-risk individual may:

1. File written notice of the status of the individual as an at-risk individual, for themselves and immediate family, with each state agency that includes information necessary to ensure compliance with this section, as determined by the Administrative Director of the Courts; and

2. Request that each state agency described in Section 2 3012 of this act title mark as private their covered information and that of their immediate family.

B. State agencies shall not publicly post or publicly display content that includes covered information of an at-risk individual or immediate family. State agencies, upon receipt of a written request under paragraph 1 of subsection A of this section, shall remove the covered information of the at-risk individual or

1 immediate family from publicly available content not later than
2 seventy-two (72) hours after such receipt.

3 C. Nothing in this section shall prohibit a state agency from
4 providing access to records containing the covered information of a
5 an elected federal official of this state or a member of the
6 judiciary to a third party if the third party:

7 1. Possesses a signed release from the elected federal
8 official, judge, or a lawful court order;

9 2. Is subject to the requirements of Title V of the federal
10 Gramm-Leach-Bliley Act, 15 U.S.C., Section 6801 et seq.; or

11 3. Executes a confidentiality agreement with the state agency.

12 SECTION 4. AMENDATORY Section 5, Chapter 350, O.S.L.
13 2023 (20 O.S. Supp. 2024, Section 3015), is amended to read as
14 follows:

15 Section 3015. Not later than one (1) year after the effective
16 date of ~~enactment of~~ this act, and biennially thereafter, the
17 Administrative Director of the Courts shall submit to the
18 Legislature an annual report that includes:

19 1. A detailed amount spent by the state and local governments
20 on protecting ~~judges'~~ covered information of elected federal
21 officials and judges;

22 2. Where the ~~judges'~~ covered information of elected federal
23 officials and judges was found; and

1 3. The collection of any new types of personal data found to be
2 used to identify elected federal officials or judges who have
3 received threats, including prior home addresses, employers, and
4 institutional affiliations such as nonprofit boards.

5 SECTION 5. AMENDATORY 26 O.S. 2021, Section 4-115.2, as
6 amended by Section 2, Chapter 147, O.S.L. 2023 (26 O.S. Supp. 2024,
7 Section 4-115.2), is amended to read as follows:

8 Section 4-115.2. A. 1. The Secretary of the State Election
9 Board is authorized to promulgate rules to keep confidential the
10 residence and mailing address, upon application to do so, of
11 individual registered voters who are members of certain classes as
12 described in paragraph 2 of this subsection.

13 2. Classes shall be limited to any current elected federal
14 official of this state, the judiciary, district attorneys, assistant
15 district attorneys, ~~Uniformed Services~~ uniformed services members,
16 law enforcement personnel and the immediate family of law
17 enforcement personnel, correctional officers, the secretary,
18 assistant secretary, employees, and members of a county election
19 board or the State Election Board, persons who are protected by
20 victim's protection orders, the spouses and dependents of the
21 members of such classes, and persons who are certified by the
22 Secretary of State as participants in the Address Confidentiality
23 Program established by Section 60.14 of Title 22 of the Oklahoma
24 Statutes.

1 3. Such address information shall be provided to a candidate or
2 candidate representative or other lawful authority in anticipation
3 or as part of a contest of candidacy or contest of an election as
4 provided for in this title or as part of a petition challenge as
5 provided by law. However, no information concerning the address of
6 a certified Address Confidentiality Program participant shall be
7 released by election officials to any person for any purpose except
8 under court order.

9 B. As used in this section, "immediate family of law
10 enforcement personnel" means a spouse, child by birth or adoption,
11 stepchild or parent living at the same residence as the law
12 enforcement personnel.

13 SECTION 6. This act shall become effective July 1, 2025.

14 SECTION 7. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

18 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
March 4, 2025 - DO PASS AS AMENDED BY CS