COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1450 _____

                                                    Of the printed Bill
Page _____   Section _____   Lines _____
                                                    Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Jason Murphey

Adopted: _____   _____

_____
                Reading Clerk

1   STATE OF OKLAHOMA

2   1st Session of the 54th Legislature (2013)

3   PROPOSED COMMITTEE
    SUBSTITUTE
4   FOR
    HOUSE BILL NO. 1450   By: Murphey

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7   PROPOSED COMMITTEE SUBSTITUTE

8   An Act relating to open records; creating the
          Modernization of Oklahoma Open Records Act; amending
9   51 O.S. 2011, Section 24A.17, which relates to the
          Oklahoma Open Records Act; providing for appeal of
10   denial of records; providing for noncodification; and
          providing an effective date.

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

14   SECTION 1.   NEW LAW   A new section of law not to be

15 codified in the Oklahoma Statutes reads as follows:

16   This act shall be known and may be cited as the "Modernization

17 of Oklahoma Open Records Act".

18   SECTION 2.   AMENDATORY   51 O.S. 2011, Section 24A.17, is

19 amended to read as follows:

20   Section 24A.17 A. Any public official who willfully violates

21 any provision of the Oklahoma Open Records Act, upon conviction,

22 shall be guilty of a misdemeanor, and shall be punished by a fine

23 not exceeding Five Hundred Dollars ($500.00) or by imprisonment in

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1 the county jail for a period not exceeding one (1) year, or by both

2 such fine and imprisonment.

3   B. Any person denied access to records of a public body or

4 public official:

5   1. May bring a civil suit for declarative or injunctive relief,

6 or both, but such civil suit shall be limited to records requested

7 and denied prior to filing of the civil suit; ~~and~~ or

8   2. May appeal the denial to the Attorney General who upon

9 finding the records request to be meritorious shall order the

10 immediate release of the records; and

11   3. If successful, shall be entitled to reasonable attorney

12 fees.

13   C. If the public body or public official successfully defends a

14 civil suit and the court finds that the suit was clearly frivolous,

15 the public body or public official shall be entitled to reasonable

16 attorney fees.

17   D. A public body or public official shall not be civilly liable

18 for damages for providing access to records as allowed under the

19 Oklahoma Open Records Act.

20   SECTION 3. This act shall become effective November 1, 2013.

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22   54-1-7089   LRB   02/18/13

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