

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1976 _____
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: Carl Newton _____

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1976

By: Newton

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to the Department of Public Safety;
9 authorizing the Commissioner of Public Safety to make
10 certain assignments to Department of Public Safety
11 personnel; authorizing certain Department employees
12 to carry a firearm; prohibiting the release of
13 certain information; making certain exception;
14 authorizing Commissioner to release certain
15 information; setting penalty for unauthorized release
16 of information; defining term; stating that certain
17 information is privileged, not discoverable, nor
18 subject to subpoena or court order for production;
19 allowing for production of information in certain
20 criminal proceedings; providing for codification; and
21 declaring and emergency.

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

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 2-105.9 of Title 47, unless
there is created a duplication in numbering, reads as follows:

A. The Commissioner of Public Safety may assign personnel
within the Department of Public Safety to:

- 1 1. Perform assessments or investigations into terrorism,
2 threats to public safety, organized crime, criminal conspiracies, or
3 any other threats of violent crime;
 - 4 2. Collect information concerning the activity and identity of
5 individuals reasonably believed to be engaged in terrorism, threats
6 to public safety, organized crime, criminal conspiracies, or any
7 other threats of violent crime;
 - 8 3. Review and collect information from automated license plate
9 reader systems;
 - 10 4. Analyze collected information and disseminate such
11 information to other law enforcement agencies;
 - 12 5. Coordinate the effort of this state with local, state, and
13 federal agencies to protect citizens from terrorism, threats to
14 public safety, organized crime, criminal conspiracies, or any other
15 threats of violent crime by creating a clearinghouse of crime-
16 related information for use by local, state, and federal law
17 enforcement agencies; and
 - 18 6. Provide training to peace officers of this state concerning
19 the legal collection, preservation, and dissemination of crime-
20 related information.
- 21 B. The Commissioner may assign attorneys of the Department of
22 Public Safety to support such criminal analysis and investigative
23 functions, including providing assistance to the district attorney
24 in pursuing search warrants, arrest warrants, and other forms of

1 court orders and process in connection with criminal investigations
2 of the Department of Public Safety. With written authorization from
3 the Commissioner, Department attorneys assigned to these duties, who
4 have been certified by the Council on Law Enforcement Education and
5 Training to carry a weapon or have been issued a handgun license
6 pursuant to the provisions of the Oklahoma Self-Defense Act, shall
7 be authorized to carry a firearm on his or her person, whether on
8 duty or off duty, anywhere in the state pursuant to paragraph 3 of
9 subsection A of Section 1272 and paragraph 1 of subsection H of
10 Section 1277 of Title 21 of the Oklahoma Statutes.

11 C. Release of information compiled pursuant to this section
12 shall be prohibited except for release of information to law
13 enforcement agencies and prosecutorial authorities for the purpose
14 of crime prevention, criminal investigation, or criminal
15 prosecution. If the Commissioner determines it necessary to do so
16 in the interest of public safety or crime prevention, the
17 Commissioner may authorize the release of information compiled
18 pursuant to this section to leadership of the State or any political
19 subdivision, critical infrastructure personnel, the target of any
20 threat, or any segment of the public. Unauthorized release or
21 unauthorized use of this information shall be a misdemeanor and
22 shall be punishable by incarceration in the county jail not
23 exceeding one (1) year or a fine not exceeding Fifty Thousand
24 Dollars (\$50,000.00), or by both such fine and imprisonment. As

1 used in this section, "unauthorized release" or "unauthorized use"
2 shall include, but not be limited to, giving the information to any
3 person who is not a law enforcement officer or prosecutorial
4 authority unless necessitated by an ongoing criminal investigation,
5 or release of information to a law enforcement officer who is not
6 engaged in a criminal investigation requiring the information or who
7 is not authorized by his or her agency to receive such information,
8 or release of information without the express authority of the
9 Commissioner or in violation of any rules promulgated by the
10 Department of Public Safety. Information collected and compiled
11 under the authority of this section shall be privileged and not
12 discoverable nor subject to subpoena or order for production issued
13 by any court, other than production in a district court criminal
14 proceeding for the prosecution of crimes which are the subject of
15 the information sought.

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

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21 59-1-7300 JBH 02/07/23
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