

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 3040

By: West (Tammy)

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6 AS INTRODUCED

7 An Act relating to open records; amending 51 O.S.
8 2011, Section 24A.7, as amended by Section 1, Chapter
9 130, O.S.L. 2014 (51 O.S. Supp. 2019, Section 24A.7),
10 which relates to personnel records; exempting certain
11 personal information of public employees from
12 mandatory disclosure; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY SECTION 1. AMENDATORY 51

16 O.S. 2011, Section 24A.7, as amended by Section 1, Chapter 130,
17 O.S.L. 2014 (51 O.S. Supp. 2019, Section 24A.7), is amended to read
18 as follows:

19 Section 24A.7 A. A public body may keep personnel records
20 confidential:

21 1. Which relate to internal personnel investigations including
22 examination and selection material for employment, hiring,

23 appointment, promotion, demotion, discipline, or resignation; or

24 2. Where disclosure would constitute a clearly unwarranted
invasion of personal privacy such as employee evaluations, payroll

1 deductions, employment applications submitted by persons not hired
2 by the public body, and transcripts from institutions of higher
3 education maintained in the personnel files of certified public
4 school employees; provided, however, that nothing in this subsection
5 shall be construed to exempt from disclosure the degree obtained and
6 the curriculum on the transcripts of certified public school
7 employees.

8 B. All personnel records not specifically falling within the
9 exceptions provided in subsection A or D of this section shall be
10 available for public inspection and copying including, but not
11 limited to, records of:

- 12 1. An employment application of a person who becomes a public
13 official;
- 14 2. The gross receipts of public funds;
- 15 3. The dates of employment, title or position; and
- 16 4. Any final disciplinary action resulting in loss of pay,
17 suspension, demotion of position, or termination.

18 C. Except as may otherwise be made confidential by statute, an
19 employee of a public body shall have a right of access to his or her
20 own personnel file.

21 ~~D. Public bodies shall keep confidential the~~ The home address,
22 addresses, home telephone numbers and social security, Social
23 Security numbers of any person employed or formerly employed by the
24 public body. and information related to personal electronic

1 communication devices of current and former public employees shall
2 not be open to public inspection or disclosure without written
3 permission from the current or former public employees or without an
4 order from a court of competent jurisdiction.

5 E. Except as otherwise required by Section 6-101.16 of Title 70
6 of the Oklahoma Statutes, public bodies shall keep confidential all
7 records created pursuant to the Oklahoma Teacher and Leader
8 Effectiveness Evaluation System (TLE) which identify a current or
9 former public employee and contain any evaluation, observation or
10 other TLE record of such employee.

11 SECTION 2. This act shall become effective November 1, 2020.

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13 57-2-9026 AB 12/10/19

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