

1 **SENATE FLOOR VERSION**

2 February 23, 2016

3 **AS AMENDED**

4 SENATE BILL NO. 880

5 By: Thompson

6 An Act relating to obscene material and child  
7 pornography; amending 21 O.S. 2011, Section 1024.4,  
8 which relates to destruction of obscene material or  
9 child pornography; modifying inclusions; repealing 21  
10 O.S 2011, Section 1024, which relates to the  
11 destruction of child pornography and obscene  
12 material; and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1024.4, is  
15 amended to read as follows:

16 Section 1024.4. Upon **final** conviction of the accused, any  
17 magistrate, law enforcement officer, law enforcement agency or  
18 district attorney shall cause any obscene material or child  
19 pornography, in respect whereof the accused stands convicted and  
20 which remains in the possession or control of such magistrate, law  
21 enforcement officer, law enforcement agency or district attorney, to  
22 be destroyed including, but not limited to, the destruction of any  
23 computer, hard drive or other electronic storage media on which such  
24 obscene material or child pornography was located. For purposes of  
this section, "final conviction" includes the exhaustion of or

1 failure to timely pursue post-conviction and state and federal  
2 habeas corpus review.

3 SECTION 2. REPEALER 21 O.S. 2011, Section 1024, is  
4 hereby repealed.

5 SECTION 3. This act shall become effective November 1, 2016.

6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY  
7 February 23, 2016 - DO PASS AS AMENDED  
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