



Title 51. Officers

Oklahoma Statutes Citationized

Title 51. Officers

Chapter 1 - General Provisions

Oklahoma Open Records Act

Section 24A.5 - Open and Confidential Records

Cite as: O.S. §, ___

All records of public bodies and public officials shall be open to any person for inspection, copying, or mechanical reproduction during regular business hours; provided:

1. The Oklahoma Open Records Act, Sections 24A.1 through 24A.30 of this title, does not apply to records specifically required by law to be kept confidential including:

- a. records protected by a state evidentiary privilege such as the attorney-client privilege, the work product immunity from discovery and the identity of informer privileges,
- b. records of what transpired during meetings of a public body lawfully closed to the public such as executive sessions authorized under the Oklahoma Open Meeting Act,
- c. personal information within driver records as defined by the Driver's Privacy Protection Act, 18 United States Code, Sections 2721 through 2725,
- d. information in the files of the Board of Medicolegal Investigations obtained pursuant to Sections 940 and 941 of Title 63 of the Oklahoma Statutes that may be hearsay, preliminary unsubstantiated investigation-related findings, or confidential medical information, or
- e. any test forms, question banks and answer keys developed for state licensure examinations, but specifically excluding test preparation materials or study guides;

2. All Social Security numbers included in a record may be confidential regardless of the person's status as a public employee or private individual and may be redacted or deleted prior to release of the record by the public body;

3. Any reasonably segregable portion of a record containing exempt material shall be provided after deletion of the exempt portions; provided however, the Department of Public Safety shall not be required to assemble for the requesting person specific information, in any format, from driving records relating to any person whose name and date of birth or whose driver license number is not furnished by the requesting person.

The Oklahoma State Bureau of Investigation shall not be required to assemble for the requesting person any criminal history records relating to persons whose names, dates of birth, and other identifying information required by the Oklahoma State Bureau of Investigation pursuant to administrative rule are not furnished by the requesting person;

4. Any request for a record which contains individual records of persons, and the cost of copying, reproducing or certifying each individual record is otherwise prescribed by state law, the cost may be assessed for each individual record, or portion thereof requested as prescribed by state law. Otherwise, a public body may charge a fee only for recovery of the reasonable, direct costs of record copying, or mechanical reproduction. Notwithstanding any state or local provision to the contrary, in no instance shall the record copying fee exceed twenty-five cents (\$0.25) per page for records having the dimensions of eight and one-half (8 1/2) by fourteen (14) inches or smaller, or a maximum of One Dollar (\$1.00) per copied page for a certified copy. However, if the request:

- a. is solely for commercial purpose, or
- b. would clearly cause excessive disruption of the essential functions of the public body,

then the public body may charge a reasonable fee to recover the direct cost of record search and copying; however, publication in a newspaper or broadcast by news media for news purposes shall not constitute a resale or use of a record for trade or commercial purpose and charges for providing copies of electronic data to the news media for a news purpose shall not exceed the direct cost of making the copy. The fee charged by the Department of Public Safety for a copy in a computerized format of a record of the Department shall not exceed the direct cost of making the copy unless the fee for the record is otherwise set by law.

Any public body establishing fees under this act shall post a written schedule of the fees at its principal office and with the county clerk.

In no case shall a search fee be charged when the release of records is in the public interest, including, but not limited to, release to the news media, scholars, authors and taxpayers seeking to determine whether those entrusted with the affairs of the government are honestly, faithfully, and competently performing their duties as public servants.

The fees shall not be used for the purpose of discouraging requests for information or as obstacles to disclosure of requested information;

5. The land description tract index of all recorded instruments concerning real property required to be kept by the county clerk of any county shall be available for inspection or copying in accordance with the provisions of the Oklahoma Open Records Act; provided, however, the index shall not be copied or mechanically reproduced for the purpose of sale of the information;

6. A public body must provide prompt, reasonable access to its records but may establish reasonable procedures which protect the integrity and organization of its records and to prevent excessive disruptions of its essential functions. A delay in providing access to records shall be limited solely to the time required for preparing the requested documents and the avoidance of excessive disruptions of the public body's essential functions. In no event may production of a current request for records be unreasonably delayed until after completion of a prior records request that will take substantially longer than the current request. Any public body which makes the requested records available on the Internet shall meet the obligation of providing prompt, reasonable access to its records as required by this paragraph; and

7. A public body shall designate certain persons who are authorized to release records of the public body for inspection, copying, or mechanical reproduction. At least one person shall be available at all times to release records during the regular business hours of the public body.

Historical Data

Laws 1985, SB 276, c. 355, § 5, eff. November 1, 1985; Amended by Laws 1986, SB 487, c. 213, § 1, emerg. eff. June 6, 1986; Amended by Laws 1986, HB 1633, c. 279, § 29, emerg. eff. July 1, 1986; Amended by Laws 1988, HB 1846, c. 187, § 4, emerg. eff. June 6, 1988; Amended by Laws 1992, HB 2142, c. 231, § 2, emerg. eff. May 19, 1992; Amended by Laws 1993, HB 1053, c. 97, § 7, eff. September 1, 1993; Amended by Laws 1996, SB 719, c. 209, § 3, eff. November 1, 1996; Amended by Laws 2000, HB 2100, c. 342, § 8, emerg. eff. July 1, 2000 ([superseded document available](#)); Amended by Laws 2001, SB 665, c. 137, § 1, emerg. eff. April 24, 2001 ([superseded document available](#)); Amended by Laws 2005, HB 1553, c. 199, § 5, eff. November 1, 2005; Amended by Laws 2005, HB 1318, c. 223, § 1, eff. November 1, 2005 (repealed by Laws 2006, HB 3139, c. 16, § 35, emerg. eff. March 29, 2006) ([superseded document available](#)); Amended by Laws 2006, HB 3139, c. 16, § 34, emerg. eff. March 29, 2006 ([superseded document available](#)); Amended by Laws 2015, HB 1037, c. 370, § 1, emerg. eff. June 4, 2015 ([superseded document available](#)); Amended by Laws 2016, HB 2281, c. 54, § 1, eff. November 1, 2016; Amended by Laws 2016, HB 2510, c. 192, § 1, eff. November 1, 2016 ([superseded document available](#)); Amended by Laws 2017, SB 191, c. 202, § 1, eff. November 1, 2017 ([superseded document available](#)).

Citationizer[®] Summary of Documents Citing This Document

<i>Cite Name</i>	<i>Level</i>
<i>Oklahoma Attorney General's Opinions</i>	
<i>Cite</i>	<i>Name</i> <i>Level</i>
2001 OK AG 46	Question Submitted by: Director Susan C. McVey, Oklahoma Department of Libraries Cited
2003 OK AG 28	Question Submitted by: David Southerland, Interim Executive Director, Housing Authority of the Cherokee Nation Cited

Cite Name	Level	
<u>2005 OK AG 3,</u>	<u>Question Submitted by: The Honorable Mike Reynolds, State Representative, District 91</u>	Discussed
<u>2005 OK AG 21,</u>	<u>Question Submitted by: The Honorable Mike Johnson, State Senator, District 22</u>	Discussed at Length
<u>2005 OK AG 39,</u>	<u>Question Submitted by: The Honorable Susan Paddock, Oklahoma State Senator, District 13</u>	Discussed
<u>2005 OK AG 50,</u>	<u>Question Submitted by: The Honorable Cathy Stocker, Garfield County District Attorney</u>	Cited
<u>2006 OK AG 35,</u>	<u>Question Submitted by: The Honorable Mike Reynolds, State Representative, District 91</u>	Discussed at Length
<u>2009 OK AG 27,</u>	<u>Question Submitted by: The Honorable Patrick Anderson, State Senator, District 19</u>	Discussed at Length
<u>2009 OK AG 33,</u>	<u>Question Submitted by: The Honorable Debbe Leftwich, State Senator, District 44</u>	Discussed at Length
<u>2012 OK AG 1,</u>	<u>Question Submitted by: The Honorable Mike Reynolds, State Representative, District 91</u>	Discussed at Length
<u>2012 OK AG 4,</u>	<u>Question Submitted by: The Honorable Leslie Osborn, State Representative, District 47</u>	Cited
<u>2012 OK AG 22,</u>	<u>Question Submitted by: The Honorable Ron Justice, State Senator, District 23; The Honorable Jim Halligan, State Senator, District 21</u>	Discussed at Length
<u>2015 OK AG 2,</u>	<u>Question Submitted by: The Honorable Mike Ritze, State Representative, District 80</u>	Discussed at Length
<u>2015 OK AG 3,</u>	<u>Question Submitted by: The Honorable Mike Ritze, State Representative, District 80</u>	Discussed
<u>2017 OK AG 12,</u>	<u>Question Submitted by: Kimberly Glazier, Executive Director, Oklahoma Board of Nursing</u>	Cited
<u>2017 OK AG 18,</u>	<u>Question Submitted by: The Honorable Bobby Cleveland, Oklahoma State Representative, District 10</u>	Cited
<u>2020 OK AG 2,</u>	<u>Question Submitted by: The Honorable Ron Sharp, Oklahoma State Senator, District 17</u>	Cited
<u>1985 OK AG 36,</u>	<u>Question Submitted by: The Honorable Jeannette Edmondson, Secretary of State</u>	Discussed at Length
<u>1986 OK AG 152,</u>	<u>Question Submitted by: The Honorable Gary C. Bastin, Oklahoma House of Representatives</u>	Discussed
<u>1988 OK AG 33,</u>	<u>Question Submitted by: Don P. Holyfield, Director, Council on Law Enforcement Education and Training</u>	Discussed at Length
<u>1988 OK AG 35,</u>	<u>Question Submitted by: The Honorable Don Ross, Oklahoma House of Representatives</u>	Discussed at Length
<u>1988 OK AG 79,</u>	<u>Question Submitted by: William E. Goodman, D.D.S., President, Board of Governors of Registered Dentists</u>	Discussed
<u>1988 OK AG 87,</u>	<u>Question Submitted by: The Honorable Denver Talley, Oklahoma House of Representatives</u>	Cited
<u>1995 OK AG 15,</u>	<u>Question Submitted by: J. Blake Wade, Executive Director, Oklahoma Historical Society</u>	Cited
<u>1995 OK AG 97,</u>	<u>Question Submitted by: The Honorable Dan Webb, Oklahoma House of Representatives, District 91</u>	Discussed at Length
<u>1996 OK AG 100,</u>	<u>Question Submitted by: The Honorable Jari Askins, State Representative, District 50</u>	Discussed
<u>1996 OK AG 26,</u>	<u>Question Submitted by: The Honorable Robert Hudson, Payne County District Attorney</u>	Discussed at Length
<u>1996 OK AG 9,</u>	<u>Question Submitted by: The Honorable Charles Key, Oklahoma House of Representatives, District 90</u>	Cited
<u>1997 OK AG 16,</u>	<u>Question Submitted by: DeWade Langley, Director, Oklahoma State Bureau of Investigation</u>	Discussed

Cite Name	Level
<u>1997 OK AG 79,</u>	<u>Question Submitted by: Jerry Regier, Executive Director, Office of Juvenile Affairs</u> Cited
<u>1999 OK AG 55,</u>	<u>Question Submitted by: The Honorable Mike Ervin , State Representative, District 28</u> Discussed at Length
<u>1999 OK AG 58,</u>	<u>Question Submitted by: The Honorable Stratton Taylor , President Pro Tempore,</u> Discussed at Length <u>Oklahoma State Senate</u>

Oklahoma Court of Criminal Appeals Cases

Cite	Name	Level
<u>2001 OK CR 35, 38 P.3d 228, 72 OBJ 3717,</u>	<u>NICHOLS v. JACKSON</u>	Discussed at Length

Oklahoma Court of Civil Appeals Cases

Cite	Name	Level
<u>2007 OK CIV APP 127, 174 P.3d 1005,</u>	<u>PROGRESSIVE INDEPENDENCE, INC. v. OKLAHOMA STATE DEPT. OF HEALTH</u>	Discussed at Length
<u>2009 OK CIV APP 85, 227 P.3d 164,</u>	<u>INTNL. UNION OF POLICE ASSOCIATIONS v. CITY OF LAWTON</u>	Discussed
<u>2019 OK CIV APP 20, 437 P.3d 211,</u>	<u>TEXASFILE, LLC v. BOEVERS</u>	Cited

Oklahoma Supreme Court Cases

Cite	Name	Level
<u>1987 OK 24, 735 P.2d 1187, 58 OBJ 1056,</u>	<u>American First Abstract Co. v. Western Information Systems, Inc.</u>	Cited
<u>1989 OK 12, 770 P.2d 14, 60 OBJ 205,</u>	<u>Milton v. Hayes</u>	Cited
<u>1992 OK 53, 831 P.2d 634, 63 OBJ 1291,</u>	<u>Merrill v. Oklahoma Tax Com'n</u>	Discussed at Length
<u>1993 OK 168, 868 P.2d 690, 65 OBJ 55,</u>	<u>City of Lawton v. Moore</u>	Cited
<u>2003 OK 65, 73 P.3d 871,</u>	<u>CITIZENS AGAINST TAXPAYER ABUSE, INC. v. CITY OF OKLAHOMA CITY</u>	Discussed
<u>2004 OK 67, 100 P.3d 703,</u>	<u>FABIAN & ASSOCIATES, P.C. v. STATE ex rel. DEPT. OF PUBLIC SAFETY</u>	Cited
<u>2008 OK 23,</u>	<u>IN RE: PRIVACY AND PUBLIC ACCESS TO COURT DOCUMENTS [WITHDRAWN]</u>	Cited
<u>2010 OK 48, 237 P.3d 181,</u>	<u>LAFALIER v. THE LEAD-IMPACTED COMMUNITIES RELOCATION ASSISTANCE TRUST</u>	Cited
<u>2012 OK 60, 299 P.3d 865,</u>	<u>COUNTY RECORDS, INC. v. ARMSTRONG</u>	Cited
<u>2014 OK 109, 343 P.3d 1273,</u>	<u>VANDELAY ENTERTAINMENT, LLC v. FALLIN</u>	Cited
<u>2016 OK 119, 390 P.3d 689,</u>	<u>OKLAHOMA ASSOC. OF BROADCASTERS, INC. v. CITY OF NORMAN</u>	Discussed

Title 26. Elections

Cite	Name	Level
<u>26 O.S. 4-109.4,</u>	<u>Electronic Voter Registration</u>	Cited

Title 75. Statutes and Reports

Cite	Name	Level
<u>75 O.S. 256.3,</u>	<u>Charge for Cost of Copying Records</u>	Cited

Citationizer: Table of Authority

Cite Name	Level
Title 51. Officers	
Cite	Name
<u>51 O.S. 24A.5,</u>	<u>Open and Confidential Records</u>
<u>51 O.S. 24A.5,</u>	<u>Open and Confidential Records</u>
<u>51 O.S. 24A.5,</u>	<u>Open and Confidential Records</u>
<u>51 O.S. 24A.5,</u>	<u>Open and Confidential Records</u>
<u>51 O.S. 24A.30,</u>	<u>Court Records - Authority of the Court to Seal a Record</u>
<u>51 O.S. 24A.5,</u>	<u>Open and Confidential Records</u>
<u>51 O.S. 24A.5,</u>	<u>Open and Confidential Records</u>
<u>51 O.S. 24A.5,</u>	<u>Open and Confidential Records</u>

Cite Name**Level**51 O.S. 24A.1.Short Title*Cited***Title 63. Public Health and Safety***Cite**Name**Level*63 O.S. 940.Cooperation of State and County Officials - Notification of Deaths*Cited*63 O.S. 941.Investigation by Medical Examiner*Cited*