An Act

ENROLLED SENATE
BILL NO. 880

By: Thompson of the Senate

and

Pfeiffer and Osborn of the House

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

SUBJECT: Destruction of obscene material

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

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

Section 1024.4. Upon final conviction of the accused, any magistrate, law enforcement agency or district attorney shall cause any obscene material or child pornography, in respect whereof the accused stands convicted and which remains in the possession or control of such magistrate, law enforcement agency or district attorney, to be destroyed including, but not limited to, the destruction of any computer, hard drive or other electronic storage media on which such obscene material or child pornography was located. For purposes of this section, "final conviction" includes the exhaustion of or failure to timely pursue post-conviction and state and federal habeas corpus review.

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 REPEALER 21 O.S. 2011, Section 1024, is hereby repealed.

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

Passed the Senate the 8th day of March, 2016.

Presiding Officer of the Senate

Passed the House of Representatives the 4th day of April, 2016.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 5th day of April, 2016, at 3:20 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 11th day of April, 2016, at 4:32 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 11th day of April, 2016, at 5:05 o'clock P. M.

By: Chris Benge