

An Act

ENROLLED SENATE
BILL NO. 578

By: Shaw and Pittman of the
Senate

and

Cox and Shelton of the
House

An Act relating to offenders; amending 63 O.S. 2011, Section 1-849, which relates to long-term care facility for offenders; allowing the Department of Corrections to recommend certain parole considerations; providing definitions; directing the Department of Corrections to develop and provide list of eligible offenders; providing exceptions; providing for recodification; and providing an effective date.

SUBJECT: Offenders

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

SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-849, is amended to read as follows:

Section 1-849. A. ~~The State Department of Health shall initiate a request for proposal for the operation of a stand-alone long-term care facility for sex offenders who are assigned a numeric risk level of II or III as provided in the Sex Offenders Registration Act. The request for proposal shall set forth surveillance and security specifications providing for heightened security of residents to protect the public and residents of the facility.~~

B. The State Board of Health Department of Corrections shall promulgate rules and establish procedures necessary to ~~implement the request for proposal and the operation of the~~ allow the eligibility of certain offenders to be considered for parole to a private, stand-alone, long-term care facility for ~~Level II and III sex offenders~~ any offender deemed by the Department of Corrections to be either terminally ill or progressively debilitated as defined by the medical profession.

B. For the purpose of this section:

1. Terminally ill means having a condition that reasonably may be expected to result in death within twenty-four (24) months; and

2. Long-term care facility means a health care facility, other than a general acute or specialty hospital, constructed, licensed, and operated to provide patient living accommodations, twenty-four-hour staff availability, and at least two of the following patient services:

a. a selection of patient care services, under the direction and supervision of a registered nurse, ranging from continuous medical, skilled nursing, psychological, or other professional therapies to intermittent health-related or paraprofessional care services, and

b. a structured supportive living environment that provides support or assistance with individual activities of daily living.

C. The Department of Corrections will create a list of offenders eligible for parole to the private, stand-alone, long-term care facility to be provided to the Oklahoma Pardon and Parole Board for consideration.

D. Eligible offenders shall not include offenders who are sentenced as follows:

1. Death row inmates;

2. Life without possibility of parole; or

3. Sentenced for a violent offense as listed in Section 571 of Title 57 of the Oklahoma Statutes.

SECTION 2. RECODIFICATION 63 O.S. 2011, Section 1-849, shall be recodified as Section 629 of Title 57 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 3. This act shall become effective November 1, 2015.

Passed the Senate the 27th day of April, 2015.

Nathan Dahm
Presiding Officer of the Senate

Passed the House of Representatives the 15th day of April, 2015.

John Doney
Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 28th
day of April, 20 15, at 3:35 o'clock P M.

By: Audrey Lockwell

Approved by the Governor of the State of Oklahoma this 1st
day of May, 20 15, at 12:04 o'clock P M.

Mary Fallin
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 1st
day of May, 20 15, at 2:25 o'clock P M.

By: Jean Ann McNaughton-Hayes