

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2346

By: Satterfield

AS INTRODUCED

An Act relating to prisons and reformatories;  
amending 57 O.S. 1991, Sections 563, as last  
amended by Section 1, Chapter 203, O.S.L. 1993,  
and 563.1 (57 O.S. Supp. 1993, Section 563), which  
relate to correctional facilities; prohibiting  
location of correctional facility within a certain  
distance of schools; and providing an effective  
date.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 563, as last  
amended by Section 1, Chapter 203, O.S.L. 1993 (57 O.S. Supp. 1993,  
Section 563), is amended to read as follows:

Section 563. A. Before any correctional facility other than an  
inmate work center as authorized in subsection B of this section or  
an inmate drug offender work camp as authorized in subsection C of  
this section, whether within the Department of Corrections or within  
any other state agency, may be created or any construction performed  
which may significantly increase, extend or expand the present  
facility, such creation or construction shall be approved by the  
Legislature. Correctional facilities owned or operated by private

prison contractors shall not be deemed to be within the Department of Corrections or other state agency.

B. The Department of Corrections is hereby authorized to establish inmate work centers, not to exceed one hundred (100) inmates, in locations where a need for labor to conduct public work projects is determined. The Department shall select the inmate work center locations based on objective comparisons of interested communities in accordance with procedures and criteria established by the Department of Corrections. The procedures, selection criteria and decision case analysis shall be made available to the public upon request.

C. The Department of Corrections is hereby authorized to establish inmate drug offender work camps, not to exceed three hundred inmates, in locations determined by the Department of Corrections. The Department shall select the inmate drug offender work camp locations based on objective comparisons of interested communities in accordance with procedures and criteria established by the Department of Corrections. The procedures, selection criteria and decision case analysis shall be made available to the public upon request.

D. No state, county or city correctional facility including inmate work centers, inmate drug offender work camps and any other place where state, county or city inmates are housed shall be located within one thousand (1,000) feet of any public or private elementary or secondary school.

SECTION 2. AMENDATORY 57 O.S. 1991, Section 563.1, is amended to read as follows:

Section 563.1 The location of any prison facility which is not operated by the Department of Corrections, a county, or a city shall be subject to the nondiscriminatory zoning ordinances of the town or city in which located, and the location of such facility is specifically prohibited within one (1) mile of any public or private

elementary or secondary school. Provided, that if any public or private elementary or secondary school shall be established within the prohibited distance from any such facility after such facility has been in use as a prison facility, this shall not be a bar to the continued use of the facility as a prison so long as it remains in continuous use as a prison. The distance indicated in this section shall be measured from the nearest property line of the school to the nearest property line of the prison facility.

Prior to the establishment of any prison facility which is not operated by the Department of Corrections, a private prison contractor shall obtain written authorization to establish the facility from the governing body of any municipality in which such a facility is to be located, or if the facility is not to be located within the incorporated limits of a municipality, from the board of county commissioners of the county in which the facility is to be located. Said authorization shall be submitted to the Board of Corrections before any contract between the Department of Corrections and the private prison contractor is awarded.

SECTION 3. This act shall become effective September 1, 1994.

44-2-8119

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