

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1139

By: Brown of the Senate
and
Askins of the House

COMMITTEE SUBSTITUTE

An Act relating to parole; amending 57 O.S. 1991,
Section 332.18, which relates to parole for medical
reasons; authorizing compassionate release
recommendation under certain circumstances;
amending 57 O.S. 1991, Section 332.16, which
relates to action by Governor on parole
applications; setting time limitations for actions
regarding compassionate release; providing an
effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 332.18, is
amended to read as follows:

Section 332.18 A. The Director of the Department of
Corrections shall have the authority to request ~~of the Chief~~
~~Administrative Officer~~ Executive Director of the Pardon and Parole
Board ~~that~~ to place an inmate ~~be placed~~ on the Pardon and Parole
Board docket for a medical reason, out of the normal processing

procedures, ~~if documentation.~~ Documentation of the medical condition is of such inmate shall be certified by the medical director of the Department of Corrections. The Pardon and Parole Board shall have the authority to bring any such inmate before the Board at any time, except as otherwise provided in subsection B of this section.

B. If a request is made for a medical parole review of an inmate who is on any life support system or an inmate who is near death, the Executive Director shall place such inmate on the first available parole review docket for a compassionate release recommendation.

SECTION 2. AMENDATORY 57 O.S. 1991, Section 332.16, is amended to read as follows:

Section 332.16 A. No recommendation to the Governor for parole shall remain under consideration and in the possession of that office for a time longer than thirty (30) days.

B. When the Pardon and Parole Board makes a recommendation for a compassionate release pursuant to subsection B of Section 332.18 of this title, the Board shall forward all relevant documentation to the Governor within four (4) days of the parole review of the inmate. Upon receipt, the Governor shall have four (4) days to grant or deny the compassionate release and notify the Department of Corrections of such decision. If no action is taken by the Governor or the Governor fails to notify the Department of Corrections within the four (4) days, the compassionate release shall be deemed granted and the Department of Corrections shall release the inmate.

SECTION 3. This act shall become effective July 1, 1998.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

46-2-11125

LAC