

ENGROSSED HOUSE AMENDMENT

TO

ENGROSSED SENATE BILL NO. 588

By: Henry of the Senate

and

Wells of the House

(felons - school property - compliance -

emergency)

AMENDMENT NO. 1. Strike the stricken title, enacting clause and entire bill and insert

"An Act relating to schools; amending Section 5, Chapter 411, O.S.L. 1998 (57 O.S. Supp. 1998, Section 589), which relates to registered persons working on school premises; providing process for complying with restrictions; amending Section 4, Chapter 411, O.S.L. 1998 (70 O.S. Supp. 1998, Section 6-101.48), which relates to employees of businesses on school premises; requiring persons or businesses with certain contracts to comply with restrictions on employees; deleting certain offenses; requiring persons or businesses with certain contracts to file certain statements; clarifying prohibition for certain work release programs; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 5, Chapter 411, O.S.L. 1998 (57 O.S. Supp. 1998, Section 589), is amended to read as follows:

Section 589. A. It is unlawful for any person registered pursuant to the Sex Offenders Registration Act to work with or provide services to children or to work on school premises, or for any person or business who offers or provides services to children or contracts for work to be performed on school premises to

knowingly and willfully allow any employee to work with children or to work on school premises who is registered pursuant to the Sex Offenders Registration Act. Upon conviction for any violation of the provisions of this subsection, the violator shall be guilty of a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00). In addition, the violator may be liable for civil damages.

B. A person or business who offers or provides services shall ensure compliance with subsection A of this section as provided by Section 6-101.48 of Title 70 of the Oklahoma Statutes.

SECTION 2. AMENDATORY Section 4, Chapter 411, O.S.L. 1998 (70 O.S. Supp. 1998, Section 6-101.48), is amended to read as follows:

Section 6-101.48 A. No person or business having ~~a~~ an annual written contract with a school or school district for services to be performed during normal school hours to perform work on a regular full-time or part-time basis that would otherwise be performed by school district support employees, as defined in Section 6-101.40 of this title shall allow any employee to work on school premises if such employee is convicted in this state, the United States or another state of:

~~1. Any sex offense subject to the Sex Offenders Registration Act in this state or subject to another state's or the federal sex offender registration provisions; or~~

~~2. Any any felony offense except as provided in subsection C of this section or when ten (10) years has elapsed since the date of the criminal conviction or the employee has received a presidential or gubernatorial pardon for the criminal offense.~~

B. Every person or business ~~having a contract for services with performing services not subject to subsection A of this section on the property of a school or school district where such services are to be performed on the school premises during normal school hours~~

shall be required to sign a statement declaring that no person or
employee working on school premises under the authority of such
person or business is currently subject to the provisions of the Sex
Offenders Registration Act or any other state or the federal sex
offender registration provisions and that the person or business is
not in violation of the provisions of this ~~section~~ subsection.

C. The provisions of this section shall not apply to
volunteers, persons performing community service hours under court
order or persons performing services under a supervised work release
program. Provided, however, persons performing community service
hours or services under work release shall not be allowed to work on
school premises at any time after having been convicted of any sex
~~offense stated in paragraph 1 of subsection A of this section~~
subject to the Sex Offenders Registration Act in this state or any
other state or the federal sex offender registration provisions.

SECTION 3. 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."

Passed the House of Representatives the 31st day of March, 1999.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1999.

President of the Senate