

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL NO. 588

By: Henry of the Senate

and

Wells of the House

COMMITTEE SUBSTITUTE

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; requiring persons or businesses with certain contracts to comply 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; requiring persons or businesses with certain contracts to file certain statements; 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. 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 having an annual written contract with a school or school district to perform work on a regular full-time basis that would otherwise be performed by school district support employees as defined by Section 6-101.40 of Title 70 of the Oklahoma Statutes and 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.

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 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 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 an annual written contract ~~for services with a school or school district where such services are to be performed on the school premises during normal school hours~~ to perform work on a regular full-time basis that would otherwise be performed by school district support employees, as defined in Section 6-101.40 of this title shall be required to sign a statement declaring that no employee working on school premises under the authority of such person or business is in violation of the provisions of this section.

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 offense stated in paragraph 1 of subsection A of this section.

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.

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