

ENROLLED SENATE
BILL NO. 1241

By: Brown of the Senate

and

Hilliard of the House

An Act relating to prisons; amending 57 O.S. 1991, Section 521, as last amended by Section 20, Chapter 2, O.S.L. 1994 (57 O.S. Supp. 1999, Section 521), which relates to commitment to the Department of Corrections, classification and assignment; stating legislative intent; requiring certain placement of nonviolent inmates prior to release; setting minimum term of placement prior to release; requiring employment and housing assistance for certain inmates prior to release; establishing criteria for exceptions; stating no additional services be provided by county jails; and declaring an emergency.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 521, as last amended by Section 20, Chapter 2, O.S.L. 1994 (57 O.S. Supp. 1999, Section 521), is amended to read as follows:

Section 521. A. Whenever a person is convicted of a felony and is sentenced to imprisonment that is not to be served in a county jail, ~~he the person~~ shall be committed to the custody of the Department of Corrections and shall be classified and assigned to a correctional facility, ~~the Electronic Monitoring Program pursuant to Section 510.5 of this title, the Specialized Supervision Program pursuant to Sections 610 and 611 of this title, or to another facility~~ or program designated by the Department and authorized by law.

B. It is the intent of the Legislature that inmates in the custody of the Department of Corrections, prior to leaving the custody of the Department, be reintegrated into society through the use of work centers, community corrections centers, accredited halfway houses and transitional living centers, subject to the availability of space.

C. All persons who have nonassaultive institutional records and who are convicted of only previous and current nonviolent offenses and have a nonviolent juvenile record and are sentenced to the custody of the Department of Corrections shall be assigned to at least thirty (30) days in a work center or community corrections center followed by at least ninety (90) days in an accredited halfway house or transitional living facility not less than one

hundred twenty (120) days immediately prior to release from the custody of the Department of Corrections. This assignment shall be for the purpose of assisting the person in obtaining gainful employment and locating a suitable post-release residence. For purposes of this subsection, assistance in obtaining employment and a post-release residence shall be part of the function of the transitional placement and shall not be construed to require or authorize any financial assistance or expenditure of state funds to any inmate or to any contract provider for additional program services to an individual inmate.

D. The provisions of subsections B and C of this section shall not be applicable to inmates, as determined on an individual basis by the Department of Corrections, who otherwise constitute a risk to public health and safety.

E. Nothing in this section shall require a county jail to provide any services that are not currently being provided.

SECTION 2. 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 Senate the 26th day of April, 2000.

President of the Senate

Passed the House of Representatives the 11th day of April, 2000.

Speaker of the House of Representatives

