STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1137 By: Hilliard

AS INTRODUCED

An Act relating to prisons and reformatories; creating the Joint Legislative Committee for Inspection of Correctional Institutions; establishing membership and method of appointment; providing for filling of vacancies; providing for travel reimbursement; providing term of appointment; providing for selection of Chair and Vice Chair; providing for calling of meetings; providing duties of Joint Committee; authorizing appointment of subcommittees; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 701 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Joint Legislative Committee for Inspection of Correctional Institutions consisting of eight (8) persons, four of whom shall be members of the Senate appointed by the President Pro Tempore of the Senate, not more than two of whom shall be members of the same political party, and four of whom shall be members of the House of Representatives appointed by the Speaker of the House of Representatives, not more than two of whom shall be members of the same political party. The Committee shall function as a joint committee of the Legislature when the Legislature is in session and when the Legislature is not in session. Each member shall serve until a successor is appointed, unless the member ceases to be a member of the Oklahoma Legislature. A vacancy on the

Committee shall be filled in the same manner as the original appointment.

B. Members shall be reimbursed for their necessary travel expenses pursuant to Section 456 of Title 74 of the Oklahoma Statutes.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 702 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. The Chair and Vice Chair of the Joint Legislative Committee for Inspection of Correctional Institutions shall be appointed by the Speaker of the House of Representatives and the President Pro Tempore of the Senate and shall rotate between the House of Representatives and the Senate. Beginning November 1, 1999, the Chair shall be from the House of Representatives until the convening of the First Regular Session of the Legislature in January, 2001, at which time the Chair shall be assumed by the Senate. Thereafter, the Chair shall alternate every two (2) years between the Senate and the House of Representatives, beginning with the convening of the First Regular Session of the Legislature. The Vice Chair shall be from the house of the Legislature which does not hold the Chair.

B. Meetings of the Committee shall be called by either the Chair or the Vice Chair.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 703 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. The Joint Legislative Committee for Inspection of Correctional Institutions shall:

1. Establish and maintain a continuing program of inspection of each state correctional institution used for the custody, control, training and rehabilitation of persons convicted of crime and of each private correctional facility. The Committee may inspect any local correctional institution used for the same purposes. The

Committee, and each member of the Committee, for the purpose of making an inspection pursuant to this section, shall have access to any state or local correctional institution, to any private correctional facility, or to any part of the institution or facility and shall not be required to give advance notice of, or to make prior arrangements before conducting, an inspection;

2. Evaluate and assist in the development of programs to improve the condition or operation of correctional institutions; and

3. Prepare a report for submission to the succeeding Legislature of the findings the Committee makes in its inspections and of any programs that have been proposed or developed to improve the condition or operation of the correctional institutions in the state. The report shall contain a separate evaluation of the inmate grievance procedure at each state correctional institution. The Committee shall submit the report to the succeeding Legislature within fifteen (15) days after commencement of the First Regular Session of the succeeding Legislature.

B. The Committee shall make an inspection of each state correctional institution and of each private correctional facility at least once every two (2) years. The inspection shall include attendance at one general meal period and one rehabilitative or educational program.

C. An inspection of a state correctional institution, a private correctional facility, or a local correctional institution shall be conducted in accordance with all of the following:

1. The inspection shall not be conducted unless the Chair of the Committee grants prior approval for the inspection. The grant of prior approval shall specify whether the inspection is to be conducted by a subcommittee appointed pursuant to Section 4 of this act or is to be conducted other than by a subcommittee appointed under that section;

2. The inspection shall not be conducted unless:

a. the inspection is to be conducted by a subcommittee appointed pursuant to Section 4 of this act and at least two members appointed to the Committee are present for the inspection, or

b. at least one member appointed to the Committee and at least one staff member of the Committee are present for the inspection; and

3. Inspections shall be conducted during normal business hours unless the Chair of the Committee determines prior to an inspection that the inspection must be conducted outside of normal business hours for any reason and gives written approval for such inspection.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 704 of Title 57, unless there is created a duplication in numbering, reads as follows:

The Chair of the Joint Legislative Committee for Inspection of Correctional Institutions may appoint subcommittees, each to consist of at least two (2) members, for the purpose of conducting inspections pursuant to Section 2 of this act.

SECTION 5. This act shall become effective November 1, 1999.

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