

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 475

By: Wilkerson

AS INTRODUCED

An Act relating to criminal procedure; amending 22 O.S. 1991, Section 980, as amended by Section 2, Chapter 89, O.S.L. 1998 (22 O.S. Supp. 1998, Section 980), 57 O.S. 1991, Section 95, as amended by Section 23, Chapter 133, O.S.L. 1997 (57 O.S. Supp. 1998, Section 95) and 57 O.S. 1991, Section 95, as last amended by Section 4, Chapter 89, O.S.L. 1998 (57 O.S. Supp. 1998, Section 95), which relate to duty of sheriff upon sentencing; requiring the sheriff to deliver current medical records and current prescription medication to the Department of Corrections; and providing an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 1991, Section 980, as amended by Section 2, Chapter 89, O.S.L. 1998 (22 O.S. Supp. 1998, Section 980), is amended to read as follows:

Section 980. If the judgment is for imprisonment in a state prison, the sheriff of the county or subdivision must, upon receipt of a certified copy thereof, take and deliver the defendant to the warden of the Lexington Assessment and Reception Center or to a place determined by the Director of the Department of Corrections. The sheriff must also deliver to the Department of Corrections a certified copy of the judgment and any current medical records and current prescription medication of the defendant, and take from the Department of Corrections a receipt for the defendant, and make return thereof to the court.

SECTION 2. AMENDATORY 57 O.S. 1991, Section 95, as amended by Section 23, Chapter 133, O.S.L. 1997 (57 O.S. Supp. 1998, Section 95), is amended to read as follows:

Section 95. Any person convicted of an offense against the laws of this state and sentenced to imprisonment that is not to be served in a county jail shall be transported by the sheriff of the county where said person is sentenced, or the designated representative of the sheriff, to the Lexington Assessment and Reception Center. The sheriff shall deliver such person together with a certified copy of the judgment and sentence of the court ordering such imprisonment, any current medical records and current prescription medication of the defendant, and a certificate setting forth the number of days served in the county jail after the pronouncement of judgment and rendering of sentence for the offenses committed to the Department of Corrections at such center and the Department shall give the sheriff a receipt for each prisoner received. The receipt shall be filed by the sheriff in the office of the clerk of the court where the sentence was made.

SECTION 3. AMENDATORY 57 O.S. 1991, Section 95, as last amended by Section 4, Chapter 89, O.S.L. 1998 (57 O.S. Supp. 1998, Section 95), is amended to read as follows:

Section 95. A. Any person convicted of an offense against the laws of this state and sentenced to imprisonment that is not to be served in a county jail shall be transported by the sheriff of the county where the person is sentenced, or transported by a designated representative of the sheriff, to the Department of Corrections at the Lexington Assessment and Reception Center or other location designated by the Director of the Department of Corrections. The sheriff shall deliver the person to the Department at such center together with a certified copy of the judgment and sentence from the court ordering such imprisonment, a certificate setting forth the number of days served in the county jail after the pronouncement of judgment and rendering of sentence for the offenses committed, any current medical records and current prescription medication of the

defendant, and a copy of the presentence investigation report, if a report was prepared.

B. The Department shall give the sheriff a receipt for each person received into the custody of the Department at the Lexington Assessment and Reception Center. The receipt shall be filed by the sheriff in the office of the clerk of the court where the sentence was made.

SECTION 4. This act shall become effective November 1, 1999.

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