

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. _____

By: Price

AS INTRODUCED

An Act relating to criminal procedure; amending Section 51, Chapter 133, O.S.L. 1997, as amended by Section 13, Chapter 333, O.S.L. 1997 (22 O.S. Supp. 1998, Section 987.13), which relates to the local administrator of the Oklahoma Community Sentencing Act; requiring certain training of local sheriffs; providing an effective date; and declaring an emergency.

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

SECTION 557. AMENDATORY Section 51, Chapter 133, O.S.L. 1997, as amended by Section 13, Chapter 333, O.S.L. 1997 (22 O.S. Supp. 1998, Section 987.13), is amended to read as follows:

Section 987.13 A. Each local community sentencing system shall operate under the supervision of a local administrator who shall be employed by the Community Sentencing Division within the Department of Corrections. The local administrator shall have the duty to:

1. Administer the day-to-day operation of the local community sentencing system within the approved budget and plan and according to the provisions of the Oklahoma Community Sentencing Act and any rules promulgated by the Division;

2. Assist the planning council in the jurisdiction in identifying resources, collecting data on sentencing practices, and preparing the annual plan and supporting budget;

3. Provide the court with a listing of available services within the local community sentencing system for purposes of imposing a community sentence;

4. Carry out court orders pursuant to the provisions of this act as provided in the offender's judgment and sentence;

5. Assign offenders to specific service providers who are participating in the local system according to the conditions of the community sentence;

6. Report to the judge all completions and violations of court orders for community sentences or community punishments;

7. Keep accurate records for the local system and coordinate those records for monitoring by the Community Sentencing Division;

8. Monitor the local service providers to assure appropriate delivery of services to both the offender and the local system;

9. Coordinate and assist staff to support the planning council and the sentencing court;

10. Ensure that restitution, reimbursements, fines, costs, and other payments and fees are deposited with the appropriate entity;

11. Report to the Community Sentencing Division within the Department of Corrections any complaints or service delivery problems;

12. Ensure criminal disposition reports on community sentences are made to appropriate state and federal agencies; and

13. Perform other functions as specified by the Community Sentencing Division within the Department of Corrections for purposes of implementing the provisions of the Oklahoma Community Sentencing Act.

B. The local administrator shall supervise all existing county employees when a county has a preexisting community program operated by county employees and that program and preexisting staff are qualified to carry out the provisions of the Oklahoma Community Sentencing Act. The Division shall promulgate rules for continuing an existing program. An existing community service program that was in existence prior to January 1, 1997, shall not be terminated without the approval of the Department of Corrections.

C. When a service provider is selected to be part of the local community sentencing system, the employees of that service provider shall not become employees of the county, the local community sentencing system, or the state by virtue of any contractual agreement or payments from the state.

D. The local administrator shall provide annual training to the sheriff of each county participating in the local community sentencing system.

SECTION 1. This act shall become effective July 1, 1999.

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.

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