

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 841

By: Herbert of the Senate

and

Nance of the House

AS INTRODUCED

An Act relating to counties and county officers; amending 19 O.S. 2001, Section 513, which relates to the custody of the jail; making language gender neutral; requiring authorization by the sheriff to create a county jail trust authority; amending 19 O.S. 2001, Section 904.1, which relates to the creation of a county jail trust authority; requiring authorization by the sheriff before certain election can be held; and declaring an emergency.

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

SECTION 1. AMENDATORY 19 O.S. 2001, Section 513, is amended to read as follows:

Section 513. A. The sheriff shall have the charge and custody of the jail of ~~his~~ the county, and all the prisoners in the same, and the jail shall ~~keep such jail himself~~ be kept by the sheriff, or by ~~his~~ the deputy or jailer, for whose acts ~~he and his sureties~~ the sheriff shall be liable.

B. The sheriff may authorize the creation of a county jail trust authority by notifying, in writing, the board of county commissioners of that county.

SECTION 2. AMENDATORY 19 O.S. 2001, Section 904.1, is amended to read as follows:

Section 904.1 A. The board of county commissioners of any county, ~~if the board determines that such would be conducive to the promotion and preservation of the public safety of the county~~ after receiving written authorization to create a county jail trust

authority from the sheriff of the county, may call an election at which shall be submitted to the qualified voters of the county the question of whether to create a county jail trust authority which would be conducive to the promotion and preservation of the public safety of the county.

B. Notice of the election shall be given by publication in some newspaper of general circulation in the county once a week for two (2) consecutive weeks ~~next~~ preceding the date of the election. The notice shall specify the date of the election. The election shall be conducted in accordance with the general election laws of this state. If a majority of the qualified voters of the county voting on the question at an election called for such purpose by the board of county commissioners approve, the county jail trust authority shall be created.

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.

48-2-2451

JT

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