

ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 1061

By: McCarter of the House

and

Crutchfield of the Senate

An Act relating to prisons and reformatories;
amending 57 O.S. 2001, Section 521, as amended by
Section 4, Chapter 211, O.S.L. 2002 (57 O.S. Supp.
2002, Section 521), which relates to assignment and
classification to correctional facility; modifying
assignment process; and providing an effective date.

AUTHORS: Add the following Senate Coauthors: Capps and
Lawler

AMENDMENT NO. 1. Page 1, strike the title, enacting clause
and entire bill and insert

"An Act relating to prisons and reformatories;
amending 57 O.S. 2001, Section 521, as amended by
Section 4, Chapter 211, O.S.L. 2002 (57 O.S. Supp.
2002, Section 521), which relates to assignment and
classification to correctional facility; modifying
assignment process; removing certain periods of time
required for certain placements; and providing an
effective date.

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

SECTION 1. AMENDATORY 57 O.S. 2001, Section 521, as
amended by Section 4, Chapter 211, O.S.L. 2002 (57 O.S. Supp. 2002,
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, the person shall be committed to the custody of the Department
of Corrections and shall be classified and assigned to a
correctional 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 release programs, work centers, community corrections centers, intermediate sanctions facilities, accredited halfway houses and transitional living centers, subject to the availability of space and funding.

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 processed for assignment to a work release ~~center~~ program, a work center, a community corrections center, ~~or~~ an intermediate sanctions facility ~~for at least thirty (30) calendar days followed by ninety (90) to one hundred eighty (180) calendar days in an accredited halfway house or,~~ a transitional living facility, or any combination of such placements not less than two hundred ten (210) calendar days immediately prior to release from the custody of the Department of Corrections, unless the offender is currently participating in ~~an~~ another approved program based upon the offender's needs assessment. Other persons may be processed for assignment according to the offender's needs and security classification not more than one hundred eighty (180) days prior to release from the custody of the Department. This assignment shall be for the purpose of assisting the person in obtaining gainful employment, receiving reintegration skills, and locating a suitable post-release residence. For purposes of this subsection, assistance in obtaining employment, receiving reintegration skills, 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 serious or immediate 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. This act shall become effective November 1, 2003."

Passed the Senate the 1st day of April, 2003.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2003.

Presiding Officer of the House
of Representatives