

CS for EHB 1061

1 THE STATE SENATE
2 Tuesday, April 1, 2003

3 Committee Substitute for
4 ENGROSSED
5 House Bill No. 1061

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 1061 - By:
7 McCARTER of the House and CRUTCHFIELD, CAPPS and LAWLER of the
8 Senate.

9 An Act relating to prisons and reformatories; amending 57
10 O.S. 2001, Section 521, as amended by Section 4, Chapter
11 211, O.S.L. 2002 (57 O.S. Supp. 2002, Section 521), which
12 relates to assignment and classification to correctional
13 facility; modifying assignment process; removing certain
14 periods of time required for certain placements; and
15 providing an effective date.

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

17 SECTION 1. AMENDATORY 57 O.S. 2001, Section 521, as
18 amended by Section 4, Chapter 211, O.S.L. 2002 (57 O.S. Supp. 2002,
19 Section 521), is amended to read as follows:

20 Section 521. A. Whenever a person is convicted of a felony and
21 is sentenced to imprisonment that is not to be served in a county
22 jail, the person shall be committed to the custody of the Department
23 of Corrections and shall be classified and assigned to a
24 correctional facility or program designated by the Department and
25 authorized by law.

26 B. It is the intent of the Legislature that inmates in the
27 custody of the Department of Corrections, prior to leaving the

1 custody of the Department, be reintegrated into society through the
2 use of work release programs, work centers, community corrections
3 centers, intermediate sanctions facilities, accredited halfway
4 houses and transitional living centers, subject to the availability
5 of space and funding.

6 C. All persons who have nonassaultive institutional records and
7 who are convicted of only previous and current nonviolent offenses
8 and have a nonviolent juvenile record and are sentenced to the
9 custody of the Department of Corrections shall be processed for
10 assignment to a work release ~~center~~ program, a work center, a
11 community corrections center, or an intermediate sanctions facility
12 ~~for at least thirty (30) calendar days followed by ninety (90) to~~
13 ~~one hundred eighty (180) calendar days in an accredited halfway~~
14 ~~house or, a transitional living facility, or any combination of such~~
15 placements not less than two hundred ten (210) calendar days
16 immediately prior to release from the custody of the Department of
17 Corrections, unless the offender is currently participating in ~~an~~
18 another approved program based upon the offender's needs assessment.
19 Other persons may be processed for assignment according to the
20 offender's needs and security classification not more than one
21 hundred eighty (180) days prior to release from the custody of the
22 Department. This assignment shall be for the purpose of assisting
23 the person in obtaining gainful employment, receiving reintegration

1 skills, and locating a suitable post-release residence. For
2 purposes of this subsection, assistance in obtaining employment,
3 receiving reintegration skills, and a post-release residence shall
4 be part of the function of the ~~transitional~~ placement and shall not
5 be construed to require or authorize any financial assistance or
6 expenditure of state funds to any inmate or to any contract provider
7 for additional program services to an individual inmate.

8 D. The provisions of subsections B and C of this section shall
9 not be applicable to inmates, as determined on an individual basis
10 by the Department of Corrections, who otherwise constitute a serious
11 or immediate risk to public health and safety.

12 E. Nothing in this section shall require a county jail to
13 provide any services that are not currently being provided.

14 SECTION 2. This act shall become effective November 1, 2003.

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-26-03 - DO
16 PASS, As Amended and Coauthored.