

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1061

By: McCarter

AS INTRODUCED

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.

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 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~~ may be processed for

assignment to a work release 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~~, transitional living facility, or work release program 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 approved program based upon the offender's needs assessment. This assignment shall be for the purpose of assisting the person in obtaining gainful employment, locating a suitable post-release residence. For purposes of this subsection, assistance in obtaining employment 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 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.

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