ENGROSSED SENATE
BILL NO. 1842

By: Laster of the Senate

and

Sullivan of the House

[jails - operate or manage jails – codification -

effective date –

emergency]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 513.2 of Title 19, unless there is created a duplication in numbering, reads as follows:

For purposes of any jail facility, holding facility or detention center, every reference in statute or rule to any duty or responsibility imposed upon the sheriff or any jailer to operate, manage or provide any service to any person in the custody of such facility or any service related to the management or operation of such facility shall be deemed applicable to and imposed upon the public trust or private owner or management entity who by contract or otherwise legally operates or manages such jail facility, holding facility or detention facility.

It is unlawful for any public trust, private owner or management entity contracting to operate or manage any jail facility, holding facility or detention center to fail to comply with the provisions of any statute or rule relating to duties and responsibilities required to operate, manage and provide services to any person in the custody of such facility.

Every governmental entity and other authority who contracts for the operation or management of any jail facility, holding facility or detention center with a public trust or any private owner or

management entity shall be required to have a provision in such contract requiring compliance with the duties and responsibilities imposed by statute or rule to operate or manage a jail facility, holding facility or detention center.

Nothing in this section shall be construed to confer or grant any peace officer status or peace officer power to any public trust or private owner or management entity that by contract operates or manages any jail facility, holding facility or detention center, except as may be specifically provided in another provision of law.

SECTION 2. This act shall become effective July 1, 2006.

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.

Passed the Senate the 13th day of March, 2006.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2006.

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Presiding Officer of the House
of Representatives