

SB 1755

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THE STATE SENATE  
Tuesday, February 28, 2006

Senate Bill No. 1755  
As Amended

SENATE BILL NO. 1755 - By: RILEY of the Senate and PERRY of the House.

[ Sex Offenders Registration Act - times for registration - emergency ]

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

SECTION 1. AMENDATORY 57 O.S. 2001, Section 583, as last amended by Section 2, Chapter 123, O.S.L. 2005 (57 O.S. Supp. 2005, Section 583), is amended to read as follows:

Section 583. A. Any person who becomes subject to the provisions of the Sex Offenders Registration Act on or after November 1, 1989, shall be registered as follows:

- 1. With the Department of Corrections within three (3) business days of being convicted or receiving a suspended sentence or any probationary term, including a deferred sentence imposed in violation of subsection G of Section 991c of Title 22 of the Oklahoma Statutes, if the person is not incarcerated, or within three (3) business days of release of the person from a correctional institution, except as provided in subsection B of this section;
- 2. With the local law enforcement authority having jurisdiction in the area where the person resides or intends to reside for ~~more~~

1 ~~than~~ seven (7) consecutive days or longer calculated beginning with  
2 the first day. The registration is required within three (3) days  
3 after entering the jurisdiction of the law enforcement authority;  
4 and

5 3. With the Department of Corrections and the local law  
6 enforcement authority no less than three (3) business days prior to  
7 abandoning or moving from the address of the previous registration.

8 For purposes of this section, "local law enforcement authority"  
9 means:

- 10 a. the municipal police department, if the person resides  
11 or intends to reside or stay within the jurisdiction  
12 of any municipality of this state, or  
13 b. the county sheriff, if the person resides or intends  
14 to reside or stay at any place outside the  
15 jurisdiction of any municipality within this state,  
16 and  
17 c. the police or security department of any institution  
18 of higher learning within this state if the person:  
19 (1) enrolls as a full-time or part-time student,  
20 (2) is a full-time or part-time employee at an  
21 institution of higher learning, or

1 (3) resides or intends to reside or stay on any  
2 property owned or controlled by the institution  
3 of higher learning.

4 B. Any person who has been convicted of an offense or received  
5 a deferred judgment for an offense on or after November 1, 1989, in  
6 another jurisdiction, which offense if committed or attempted in  
7 this state, would have been punishable as one or more of the  
8 offenses listed in Section 582 of this title and who enters this  
9 state shall be registered as follows:

10 1. With the Department of Corrections when the person enters  
11 and intends to be in the state for any purpose for five (5)  
12 consecutive days or longer calculated beginning with the first day,  
13 has any type of full-time or part-time employment, with or without  
14 compensation for more than five (5) cumulative days in any sixty-day  
15 period, or is enrolled as a full-time or part-time student within  
16 this state. Such registration is required within two (2) days after  
17 entering the state;

18 2. With the local law enforcement authority having jurisdiction  
19 in the area where the person intends to reside or to stay for ~~more~~  
20 ~~than~~ five (5) consecutive days or longer calculated beginning with  
21 the first day, has any type of full-time or part-time employment,  
22 with or without compensation for more than five (5) cumulative days  
23 in any sixty-day period, or is enrolled as a full-time or part-time

1 student within this state. The registration is required with local  
2 law enforcement within two (2) days after entering the jurisdiction  
3 of the law enforcement authority;

4 3. With the Department of Corrections and the local law  
5 enforcement authority no less than three (3) business days prior to  
6 abandoning or moving from the address of the previous registration;  
7 and

8 4. For persons convicted of an offense or receiving a deferred  
9 judgment in another jurisdiction requiring registration, which  
10 offense if committed or attempted in this state, would have been  
11 punishable as one or more of the offenses listed in Section 582 of  
12 this title, shall maintain the registration for a period of ten (10)  
13 years from the date the person was initially required to register in  
14 Oklahoma, unless the person was convicted of a crime that would be  
15 classified as an habitual or aggravated sex offender within the  
16 State of Oklahoma, at which time registration shall continue at all  
17 times.

18 C. When a person has been convicted or received probation  
19 within the State of Oklahoma and the person is not classified as an  
20 habitual or aggravated sex offender, the person shall be required to  
21 register for a period of ten (10) years from the date of the  
22 completion of the sentence and the information received pursuant to  
23 the registration with the Department of Corrections required by this

1 section shall be maintained by the Department of Corrections for at  
2 least ten (10) years from the date of the last registration.

3 D. When a person has been convicted or received probation  
4 within the State of Oklahoma and the person is not classified as an  
5 habitual or aggravated sex offender, the person shall be required to  
6 register for a period of ten (10) years from the date of completion  
7 of the sentence and the information received pursuant to the  
8 registration with the local law enforcement authority required by  
9 this section shall be maintained by such authority for at least ten  
10 (10) years from the date of the last registration.

11 E. When registering an offender as provided in this section the  
12 Department of Corrections or the local law enforcement agency having  
13 jurisdiction shall:

14 1. Inform the offender of the duty to register and obtain the  
15 information required for registration as described in this section;

16 2. Inform the offender that if the offender changes address,  
17 the offender shall give notice of the move and the new address to  
18 the Department of Corrections and to the local law enforcement  
19 authority in the location in which the offender previously resided  
20 in writing no later than three (3) days before the offender  
21 establishes residence or is temporarily domiciled at the new  
22 address;

1           3. Inform the offender that if the offender changes address to  
2 another state, the offender shall give notice of the move and shall  
3 register the new address with the Department of Corrections and with  
4 a designated law enforcement agency in the new state not later than  
5 ten (10) days before the offender establishes residency or is  
6 temporarily domiciled in the new state, if the new state has a  
7 registration requirement;

8           4. Inform the offender that if the offender participates in any  
9 full-time or part-time employment, in another state, with or without  
10 compensation for more than fourteen (14) cumulative days in any  
11 sixty-day period or an aggregate period exceeding thirty (30) days  
12 in a calendar year, then the offender has a duty to register as a  
13 sex offender in that state;

14           5. Inform the offender that if the offender enrolls in any type  
15 of school in another state as a full-time or part-time student then  
16 the offender has a duty to register as a sex offender in that state;

17           6. Inform the offender that if the offender enrolls in any  
18 school within this state as a full-time or part-time student, then  
19 the offender has a duty to register as a sex offender with the  
20 Department of Corrections and the local law enforcement authority;

21           7. Inform the offender that if the offender participates in any  
22 full-time or part-time employment at any school, with or without  
23 compensation, or participates in any vocational course or occupation

1 at any school in this state, then the offender has a duty to notify  
2 the Department of Corrections and the local law enforcement  
3 authority in writing of such employment or participation at least  
4 three (3) days before commencing or upon terminating such employment  
5 or participation;

6 8. Inform the offender that if the offender graduates,  
7 transfers, drops, terminates or otherwise changes enrollment or  
8 employment at any school in this state, then the offender shall  
9 notify the Department of Corrections and the local law enforcement  
10 authority in writing of such change in enrollment or employment  
11 within three (3) days of the change; and

12 9. Require the offender to read and sign a form stating that  
13 the duty of the person to register under the Sex Offenders  
14 Registration Act has been explained.

15 F. For the purpose of this section, the "date of the completion  
16 of the sentence" means the day an offender completes all  
17 incarceration, probation and parole pertaining to the sentence.

18 G. Any person who resides in another state and who has been  
19 convicted of an offense or received a deferred judgment for an  
20 offense in this state, or in another jurisdiction, which offense if  
21 committed or attempted in this state would have been punishable as  
22 one or more of the offenses listed in Section 582 of this title, and

1 who is the spouse of a person living in this state shall be  
2 registered as follows:

3 1. With the Department of Corrections when the person enters  
4 and intends to be in the state for any purpose for five (5)  
5 consecutive days or longer calculated beginning with the first day  
6 or an aggregate period of five (5) days or longer in a calendar  
7 year. Such registration is required within two (2) days after  
8 entering the state; and

9 2. With the local law enforcement authority having jurisdiction  
10 in the area where the person intends to reside or to stay within  
11 this state for two (2) consecutive days or longer calculated  
12 beginning with the first day. The registration is required with  
13 local law enforcement within two (2) days after entering the  
14 jurisdiction of the law enforcement authority.

15 SECTION 2. It being immediately necessary for the preservation  
16 of the public peace, health and safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.

19 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-22-06 - DO  
20 PASS, As Amended and Coauthored.