

CS for SB 1842

1 THE STATE SENATE
2 Tuesday, February 28, 2006

3 Committee Substitute for
4 Senate Bill No. 1842

5 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1842 - By: LASTER of the
6 Senate and SULLIVAN of the House.

7 [jails - operate or manage jails - codification - effective
8 date -
9 emergency]

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

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

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

23 It is unlawful for any public trust, private owner or management
24 entity contracting to operate or manage any jail facility, holding
25 facility or detention center to fail to comply with the provisions

1 of any statute or rule relating to duties and responsibilities
2 required to operate, manage and provide services to any person in
3 the custody of such facility.

4 Every governmental entity and other authority who contracts for
5 the operation or management of any jail facility, holding facility
6 or detention center with a public trust or any private owner or
7 management entity shall be required to have a provision in such
8 contract requiring compliance with the duties and responsibilities
9 imposed by statute or rule to operate or manage a jail facility,
10 holding facility or detention center.

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

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

17 SECTION 3. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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