

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1418

By: Kiesel

AS INTRODUCED

An Act relating to prisons and reformatories; allowing transfer of persons with serious medical condition to Department of Corrections; requiring submission of application; authorizing Department of Corrections to accept transfer under certain conditions; providing for codification; and providing an effective date.

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 51.2 of Title 57, unless there is created a duplication in numbering, reads as follows:

Any person who has a serious medical condition and is confined in the county jail pending trial, may be transferred to the Department of Corrections for extended medical care for the duration of the pending trial. At the request of the medical officer, physician or surgeon employed by the county jail, the county sheriff shall make application to the Department of Corrections for a transfer of the person and the Department of Corrections may accept the person under the following conditions:

1. The right of the person to a speedy trial is not delayed by the transfer to a state facility;
2. The right of the person to confer with legal counsel is not restricted by the transfer to a state facility;
3. The medical care or custody of the person is necessary to preserve the health and safety of the public, the inmates of the county jail, or the person being transferred;

4. The person to be transferred may be adequately treated in the state facility; and

5. The state facility has medical bed space available for the person.

SECTION 2. This act shall become effective November 1, 2005.

50-1-5638          GRS          01/16/05