

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1977

By: Branan

4
5
6 AS INTRODUCED

7 An Act relating to corrections; amending Section 1,
8 Chapter 223, O.S.L. 2003, as last amended by Section
9 29, Chapter 261, O.S.L. 2007 (57 O.S. Supp. 2007,
10 Section 590), which relates to residency restriction
11 for sex offenders; removing certain grandfather
12 provision; clarifying crime; and declaring an
13 emergency.

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

15 SECTION 1. AMENDATORY Section 1, Chapter 223, O.S.L.
16 2003, as last amended by Section 29, Chapter 261, O.S.L. 2007 (57
17 O.S. Supp. 2007, Section 590), is amended to read as follows:

18 Section 590. A. It is unlawful for any person registered
19 pursuant to the Sex Offenders Registration Act to reside, either
20 temporarily or permanently, within a two-thousand-foot radius of any
21 public or private school site, educational institution, a playground
22 or park that is zoned by city, county, state, federal or tribal
23 government, or licensed child care center as defined by the
24 Department of Human Services. Establishment of a day care center or
park in the vicinity of the residence of a registered sex offender

1 will not require the relocation of the sex offender or the sale of
2 the property. On the effective date of this act, the distance
3 indicated in this section shall be measured from the nearest
4 property line of the residence of the person to the nearest property
5 line of the public or private school site, educational institution,
6 playground, park, or licensed child care facility; ~~provided, any~~
7 ~~nonprofit organization established and housing sex offenders prior~~
8 ~~to the effective date of this provision shall be allowed to continue~~
9 ~~its operation.~~

10 B. Nothing in this provision shall require any person to sell
11 or otherwise dispose of any real estate or home acquired or owned
12 prior to the conviction of the person as a sex offender.

13 C. The provisions of this section shall not apply to any
14 registered sex offender residing in a hospital or other facility
15 certified or licensed by the State of Oklahoma to provide medical
16 services.

17 D. Any person ~~willfully~~ violating the provisions of this
18 section by ~~intentionally~~ moving into any neighborhood or to any real
19 estate or home within the prohibited distance shall, upon
20 conviction, be guilty of a felony punishable by a fine not to exceed
21 Three Thousand Dollars (\$3,000.00), or by imprisonment in the
22 custody of the Department of Corrections for a term of not less than
23 one (1) year nor more than three (3) years, or by both such fine and
24 imprisonment. Any person convicted of a second or subsequent

1 violation of this section shall be punished by a fine not to exceed
2 Three Thousand Dollars (\$3,000.00), or by imprisonment in the
3 custody of the Department of Corrections for a term of not less than
4 three (3) years, or by both such fine and imprisonment.

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

9
10 51-2-2556 NP 1/22/2008 6:17:26 PM

11
12
13
14
15
16
17
18
19
20
21
22
23
24