

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 796

By: Brogdon of the Senate

3 and

4 McDaniel (Randy) of the
5 House

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8 (corrections - transitional living centers -
9 restrictions -

10 emergency)

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13 AUTHOR: Add the following House Coauthor: Ritze

14 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
15 entire bill and insert

16 "(corrections - amending 57 O.S., Section 563.4 -
17 transitional living facilities - zoning ordinances -
18 emergency)

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21 SECTION 1. AMENDATORY Section 1, Chapter 136, O.S.L.
22 2005 (57 O.S. Supp. 2008, Section 563.4), is amended to read as
23 follows:
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1 Section 563.4 A. No transitional living facility that houses
2 sex offenders or persons convicted of a capital offense shall be
3 located within two thousand five hundred (2,500) feet of any public
4 or private elementary or secondary school, state training school, or
5 residential neighborhood. Prior to the ~~establishment~~ occupancy of
6 ~~any~~ a transitional living facility, the proposed operator shall
7 obtain written authorization to establish and operate the facility
8 from the governing body of the municipality in which the center is
9 to be located ~~or, if the facility is not to be located within the~~
10 ~~incorporated limits of a municipality, from the board of county~~
11 ~~commissioners of the county in which the facility is to be located~~
12 and shall comply with all related zoning ordinances. The provisions
13 of this section shall not apply to any transitional living facility
14 established prior to ~~the effective date of this act~~ May 3, 2005.

15 B. For purposes of this section, "transitional living facility"
16 means those facilities that do not have a contract with the
17 Department of Corrections or another agency of this state, or any
18 political subdivision of this state, to provide living space for
19 persons who are under the custody of the Department of Corrections
20 and whose primary function is to provide housing assistance and
21 related social services for individuals who are transitioning from
22 previous incarceration in a county jail, state, or federal facility
23 to the community or are otherwise in need of temporary housing
24 assistance.

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

6 Passed the House of Representatives the 22nd day of April, 2009.

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9 Presiding Officer of the House of
10 Representatives

11 Passed the Senate the ____ day of _____, 2009.

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14 Presiding Officer of the Senate

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