

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB796 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Randy McDaniel \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 SENATE BILL NO. 796

By: Brogdon of the Senate

and

7 McDaniel (Randy) of the  
8 House

9  
10 PROPOSED COMMITTEE SUBSTITUTE

11 An Act relating to corrections; amending Section 1,  
12 Chapter 136, O.S.L. 2005 (57 O.S. Supp. 2008, Section  
13 563.4), which relates to transitional living  
14 facilities; providing certain restrictions for  
15 transitional living facilities that house certain  
16 persons; requiring compliance with zoning ordinances;  
17 stating date for certain grandfather provision; and  
18 declaring an emergency.

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

20 SECTION 1. AMENDATORY Section 1, Chapter 136, O.S.L.  
21 2005 (57 O.S. Supp. 2008, Section 563.4), is amended to read as  
22 follows:

23 Section 563.4 A. No transitional living facility that houses  
24 sex offenders or persons convicted of a capital offense shall be  
located within two thousand five hundred (2,500) feet of any public  
or private elementary or secondary school, state training school, or

1 residential neighborhood. Prior to the ~~establishment~~ occupancy of  
2 ~~any~~ a transitional living facility, the proposed operator shall  
3 obtain written authorization to establish and operate the facility  
4 from the governing body of the municipality in which the center is  
5 to be located ~~or, if the facility is not to be located within the~~  
6 ~~incorporated limits of a municipality, from the board of county~~  
7 ~~commissioners of the county in which the facility is to be located~~  
8 and shall comply with all related zoning ordinances. The provisions  
9 of this section shall not apply to any transitional living facility  
10 established prior to ~~the effective date of this act~~ May 3, 2005.

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

21 SECTION 2. It being immediately necessary for the preservation  
22 of the public peace, health and safety, an emergency is hereby  
23  
24

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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4 52-1-7719 GRS 04/07/09

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