

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2245

6 By: Terrill

7 COMMITTEE SUBSTITUTE

8 (Prisons and reformatories - release of prisoners to
9 the United States Immigration and Customs
10 Enforcement - codification - noncodification -
11 effective date)

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

15 SECTION 1. NEW LAW A new section of law not to be
16 codified in the Oklahoma Statutes reads as follows:

17 This act shall be known and may be cited as the "Oklahoma
18 Criminal Illegal Alien Rapid Repatriation Act of 2009".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 530.4 of Title 57, unless there
21 is created a duplication in numbering, reads as follows:

22 A. Notwithstanding any law to the contrary, the Director of the
23 Department of Corrections may release a prisoner to the custody and
24 control of the United States Immigration and Customs Enforcement,

1 provided the Department has received an order of deportation for the
2 prisoner from the United States Citizenship and Immigration
3 Services, the prisoner has served at least one-half (1/2) of the
4 total amount of incarceration imposed by the court, and the prisoner
5 has not been convicted of an offense as provided in Section 13.1 of
6 Title 21 of the Oklahoma Statutes. The Director shall consider all
7 sentences being served when calculating the total amount of
8 incarceration, but shall not consider the suspended portion of any
9 sentence.

10 B. If a prisoner released pursuant to this section returns
11 illegally to the United States, upon notice from any federal or
12 state law enforcement agency that the prisoner is incarcerated, the
13 Director shall revoke the release of the prisoner and the prisoner
14 shall serve the remainder of the incarceration originally imposed by
15 the court. The prisoner shall not thereafter be eligible for parole
16 on any sentence affected by the release provided above.

17 SECTION 3. This act shall become effective November 1, 2009.

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19 52-1-7208 CJB 02/26/09

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