

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 796

By: Brogdon of the Senate

and

6 McDaniel (Randy) of the
7 House

8
9 COMMITTEE SUBSTITUTE

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

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

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

22 Section 563.4 A. No transitional living facility that houses
23 sex offenders or persons convicted of a capital offense shall be
24 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
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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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