

EHB 2245

THE STATE SENATE
Monday, April 6, 2009

ENGROSSED

House Bill No. 2245

As Amended

ENGROSSED HOUSE BILL NO. 2245 - By: Terrill, Duncan, Christian, Osborn, Reynolds, Faught, Martin (Steve), Enns, Cox, Wright (John), Key, Joyner, Roan and Thompson of the House and Sykes of the Senate.

[prisons and reformatories - release of prisoners to the United States Immigration and Customs Enforcement - codification - noncodification - effective date]

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

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

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

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

A. Notwithstanding any law to the contrary, the Director of the Department of Corrections may release a prisoner to the custody and control of the United States Immigration and Customs Enforcement, provided the Department has received an order of deportation for the prisoner from the United States Citizenship and Immigration Services, the prisoner has served at least one-half (1/2) of the

1 total amount of incarceration imposed by the court, and the prisoner
2 has not been convicted of an offense as provided in Section 13.1 of
3 Title 21 of the Oklahoma Statutes. The Director shall consider all
4 sentences being served when calculating the total amount of
5 incarceration, but shall not consider the suspended portion of any
6 sentence.

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-1-09 - DO
16 PASS, As Amended and Coauthored.