

SB 796

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THE STATE SENATE  
Monday, February 23, 2009

Senate Bill No. 796  
As Amended

SENATE BILL NO. 796 - By: Brogdon of the Senate and McDaniel (Randy) of the House.

[ corrections - transitional living centers - restrictions - emergency ]

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

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

Section 563.4 A. No transitional living facility that houses 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 residential neighborhood. Prior to the establishment of any transitional living facility, the proposed operator shall obtain written authorization to establish and operate the facility from the governing body of the municipality in which the center is to be located or, if the facility is not to be located within the incorporated limits of a municipality, from the board of county commissioners of the county in which the facility is to be located. The provisions of this section shall not apply to any transitional

1 living facility established prior to ~~the effective date of this act~~  
2 May 3, 2005.

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

13 SECTION 2. It being immediately necessary for the preservation  
14 of the public peace, health and safety, an emergency is hereby  
15 declared to exist, by reason whereof this act shall take effect and  
16 be in full force from and after its passage and approval.

17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-17-09 - DO  
18 PASS, As Amended and Coauthored.