

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1355

By: Auffet

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5
6 AS INTRODUCED

7 An Act relating to prisons and reformatories;
8 amending 57 O.S. 2001, Section 582, as last amended
9 by Section 22, Chapter 261, O.S.L. 2007 (57 O.S.
10 Supp. 2008, Section 582), which relates to the Sex
11 Offenders Registration Act; providing exception to
12 sex offender registration requirements for certain
13 persons; and providing an effective date.

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

15 SECTION 1. AMENDATORY 57 O.S. 2001, Section 582, as last
16 amended by Section 22, Chapter 261, O.S.L. 2007 (57 O.S. Supp. 2008,
17 Section 582), is amended to read as follows:

18 Section 582. A. The provisions of the Sex Offenders
19 Registration Act, Section 581 et seq. of this title, shall apply to
20 any person residing, working or attending school within the State of
21 Oklahoma who, after November 1, 1989, has been convicted, whether
22 upon a verdict or plea of guilty or upon a plea of nolo contendere,
23 or received a suspended sentence or any probationary term, or is
24 currently serving a sentence or any form of probation or parole for
a crime or an attempt to commit a crime provided for in Section 7115

1 of Title 10 of the Oklahoma Statutes if the offense involved sexual
2 abuse or sexual exploitation as those terms are defined in Section
3 7102 of Title 10 of the Oklahoma Statutes, Section 681, if the
4 offense involved sexual assault, 741, if the offense involved sexual
5 abuse or sexual exploitation, Section 843.1, if the offense involved
6 sexual abuse or sexual exploitation, 865 et seq., 885, 886, 888,
7 891, if the offense involved sexual abuse or sexual exploitation,
8 1021, 1021.2, 1021.3, 1040.13a, 1040.51, 1087, 1088, 1111.1, 1114 or
9 1123 of Title 21 of the Oklahoma Statutes.

10 B. The provisions of the Sex Offenders Registration Act shall
11 apply to any person who after November 1, 1989, resides, works or
12 attends school within the State of Oklahoma and who has been
13 convicted or received a suspended sentence at any time in any court
14 of another state, a federal court, an Indian tribal court or a
15 military court for a crime or attempted crime which, if committed or
16 attempted in this state, would be a crime or an attempt to commit a
17 crime provided for in any of said laws listed in subsection A of
18 this section.

19 C. The provisions of the Sex Offenders Registration Act shall
20 apply to any person who resides, works or attends school within the
21 State of Oklahoma and who has received a deferred judgment at any
22 time in any court of another state, a federal court, an Indian
23 tribal court or a military court for a crime or attempted crime
24 which, if committed or attempted in this state, would be a crime or

1 an attempt to commit a crime provided for in Section 7115 of Title
2 10 of the Oklahoma Statutes if the offense involved sexual abuse or
3 sexual exploitation as those terms are defined in Section 7102 of
4 Title 10 of the Oklahoma Statutes, Section 681, if the offense
5 involved sexual assault, 741, if the offense involved sexual abuse
6 or sexual exploitation, Section 843.1, if the offense involved
7 sexual abuse or sexual exploitation, 865 et seq., 885, 886, 888,
8 891, if the offense involved sexual abuse or sexual exploitation,
9 1021, 1021.2, 1021.3, 1040.13a, 1040.51, 1087, 1088, 1111.1, 1114 or
10 1123 of Title 21 of the Oklahoma Statutes. The provisions of the
11 Sex Offenders Registration Act shall not apply to any such person
12 while the person is incarcerated in a maximum or medium correctional
13 institution of the Department of Corrections.

14 D. On the effective date of this act, any person registered as
15 a sex offender pursuant to Section 741 of Title 21 of the Oklahoma
16 Statutes shall be summarily removed from the Sex Offender Registry
17 by the Department of Corrections and all law enforcement agencies of
18 any political subdivision of this state, unless the offense involved
19 sexual abuse or sexual exploitation.

20 E. The provisions of the Sex Offenders Registration Act shall
21 not apply to any such person who has received a criminal history
22 records expungement for a conviction in another state for a crime or
23 attempted crime which, if committed or attempted in this state,
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1 would be a crime or an attempt to commit a crime provided for in any
2 said laws listed in subsection A of this section.

3 SECTION 2. This act shall become effective November 1, 2009.

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