

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1835

By: Hamilton

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5  
6 AS INTRODUCED

7 An Act relating to sex offenders; amending Section 1,  
8 Chapter 223, O.S.L. 2003, as last amended by Section  
9 2, Chapter 347, O.S.L. 2008 (57 O.S. Supp. 2008,  
10 Section 590), which relates to residency restrictions  
11 for sex offenders; clarifying scope of residency  
12 restriction; and providing an effective date.

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

14 SECTION 1. AMENDATORY Section 1, Chapter 223, O.S.L.  
15 2003, as last amended by Section 2, Chapter 347, O.S.L. 2008 (57  
16 O.S. Supp. 2008, Section 590), is amended to read as follows:

17 Section 590. A. It is unlawful for any person registered  
18 pursuant to the Sex Offenders Registration Act to reside, either  
19 temporarily or permanently, within a two-thousand-foot radius of any  
20 public or private school site, educational institution, a playground  
21 or park that is established, operated or supported in whole or in  
22 part by a city, county, state, federal or tribal government, a  
23 homeowner association, or licensed child care center as defined by  
24 the Department of Human Services. Establishment of a day care

1 center or park in the vicinity of the residence of a registered sex  
2 offender will not require the relocation of the sex offender or the  
3 sale of the property. On the effective date of this act, the  
4 distance indicated in this section shall be measured from the  
5 nearest property line of the residence of the person to the nearest  
6 property line of the public or private school site, educational  
7 institution, playground, park, or licensed child care facility;  
8 provided, any nonprofit organization established and housing sex  
9 offenders prior to the effective date of this provision shall be  
10 allowed to continue its operation.

11 B. Nothing in this provision shall require any person to sell  
12 or otherwise dispose of any real estate or home acquired or owned  
13 prior to the conviction of the person as a sex offender.

14 C. The provisions of this section shall not apply to any  
15 registered sex offender residing in a hospital or other facility  
16 certified or licensed by the State of Oklahoma to provide medical  
17 services.

18 D. Any person willfully violating the provisions of this  
19 section by intentionally moving into any neighborhood or to any real  
20 estate or home within the prohibited distance shall, upon  
21 conviction, be guilty of a felony punishable by a fine not to exceed  
22 Three Thousand Dollars (\$3,000.00), or by imprisonment in the  
23 custody of the Department of Corrections for a term of not less than  
24 one (1) year nor more than three (3) years, or by both such fine and

1 imprisonment. Any person convicted of a second or subsequent  
2 violation of this section shall be punished by a fine not to exceed  
3 Three Thousand Dollars (\$3,000.00), or by imprisonment in the  
4 custody of the Department of Corrections for a term of not less than  
5 three (3) years, or by both such fine and imprisonment.

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

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