

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2245

By: Terrill

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6 AS INTRODUCED

7 An Act relating to prisons and reformatories;  
8 creating the Oklahoma Criminal Illegal Alien Rapid  
9 Repatriation Act of 2009; authorizing release of  
10 prisoners to the custody of the United States  
11 Immigration and Customs Enforcement under certain  
12 circumstances; providing for revocation of prison  
13 sentence under certain circumstances; providing for  
14 codification; providing for noncodification; and  
15 providing an effective date.

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

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

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

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

24 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,

1 provided the Department has received an order of deportation for the  
2 prisoner from the United States Citizenship and Immigration  
3 Services, the prisoner has served at least one-third (1/3) of the  
4 total amount of incarceration imposed by the court, and the prisoner  
5 has not been convicted of an offense as provided in Section 13.1 of  
6 Title 21 of the Oklahoma Statutes. The Director shall consider all  
7 sentences being served when calculating the total amount of  
8 incarceration, but shall not consider the suspended portion of any  
9 sentence.

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

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

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19 52-1-6351 GRS 01/12/09

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