

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 3177

By: Shelton

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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. 2009,
10 Section 590), which relates to the Sex Offenders
11 Registration Act; modifying scope of certain
12 prohibited act; 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. 2009, 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 city, county, state, federal or tribal government, or
23 licensed child care center as defined by the Department of Human
24 Services. Establishment of a day care center or park in the
vicinity of the residence of a registered sex offender will not

1 require the relocation of the sex offender or the sale of the
2 property. On the effective date of this act, the distance indicated
3 in this section shall be measured from the nearest property line of
4 the residence of the person to the nearest property line of the
5 public or private school site, educational institution, playground,
6 park, or licensed child care facility; provided, any nonprofit
7 organization established and housing sex offenders prior to the
8 effective date of this provision shall be allowed to continue its
9 operation.

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

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

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

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

5 SECTION 2. This act shall become effective November 1, 2010.

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