

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2041

By: Sykes

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2001, Section 533, as last amended by Section
9 1, Chapter 470, O.S.L. 2005 (21 O.S. Supp. 2009,
10 Section 533), which relates to refusing to receive
11 prisoners; requiring certain person to pay costs for
12 certain medical care; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2001, Section 533, as last
16 amended by Section 1, Chapter 470, O.S.L. 2005 (21 O.S. Supp. 2009,
17 Section 533), is amended to read as follows:

18 Section 533. A. Except as provided in this section and Section
19 979a of Title 22 of the Oklahoma Statutes, for emergency medical
20 treatment for an injury or condition that threatens life or
21 threatens the loss or use of a limb, any peace officer or jail or
22 prison contractor who, in violation of a duty imposed upon the
23 officer or contractor by law or by contract to receive into custody
24 any person as a prisoner, willfully neglects or refuses so to
receive such person into custody is guilty of a misdemeanor.

1 B. Except as provided in this section and Section 979a of Title
2 22 of the Oklahoma Statutes, for emergency medical treatment for an
3 injury or condition that threatens life or threatens the loss or use
4 of a limb, any peace officer or jail or prison contractor who, in
5 violation of a duty imposed upon the officer or contractor by law or
6 by contract to fingerprint any person received into custody as a
7 prisoner, willfully neglects or refuses so to fingerprint such
8 person is guilty of a misdemeanor.

9 C. Any person coming into contact with a peace officer prior to
10 being actually received into custody at a jail facility or holding
11 facility, including, but not limited to, during the time of any
12 arrest, detention, transportation, investigation of any incident,
13 accident or crime, who needs emergency medical treatment for an
14 injury or condition that threatens life or threatens the loss or use
15 of a limb, shall be taken directly to a medical facility or hospital
16 for such emergency medical care notwithstanding any duty imposed
17 pursuant to this section or any other provision of law to first take
18 such person into custody or to fingerprint such person. The
19 responsibility for payment of such emergency medical costs shall be
20 the sole responsibility of the person coming into the officer's
21 contact and shall not be the responsibility of any jail, law
22 enforcement agency, jail or prison contractor, sheriff, peace
23 officer, municipality or county, except when the condition is a

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1 direct result of injury caused by such officer acting outside the
2 scope of lawful authority.

3 D. Any person who intentionally injures himself or herself
4 after being actually received into custody at a jail or holding
5 facility, whether an arrestee or not, shall pay for the costs
6 associated with any emergency medical care that such injury
7 requires. The responsibility for payment for emergency medical
8 costs as a result of such injury shall be the sole responsibility of
9 the person and shall not be the responsibility of any jail, law
10 enforcement agency, jail or prison contractor, sheriff, peace
11 officer, municipality or county.

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

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