

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2323

By: Johnson (Constance)

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6 AS INTRODUCED

7 An Act relating to prisons and reformatories;
8 requiring annual registration fee for certain private
9 prison contractors; providing method for calculation
10 of fee; providing deposit procedures; creating the
11 Prison Management Revolving Fund; providing for
12 certain deposits; allowing for certain expenditures;
13 providing for codification; providing an effective
14 date; and declaring an emergency.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 563.5 of Title 57, unless there
17 is created a duplication in numbering, reads as follows:

18 A. Every private prison contractor operating a facility in this
19 state, with more than one hundred beds on the effective date of this
20 act, shall be subject to an annual registration fee based upon that
21 facility's total designated bed capacity. The fee shall be five
22 percent (5%) per day of the average daily per diem rate based upon
23 all contracts with the federal government and any state
24 jurisdictions other than Oklahoma, multiplied by three hundred

1 sixty-five (365) days, multiplied by the total capacity of the
2 facility. The registration fee shall be payable quarterly by each
3 private prison contractor to the Oklahoma State Treasurer for
4 deposit into the Prison Management Revolving Fund. Any late
5 payments shall be assessed interest at twelve percent (12%) per
6 annum.

7 B. There is hereby created in the Office of the State Treasurer
8 a revolving fund for the Administrative Office of the Courts to be
9 designated the "Prison Management Revolving Fund". The fund shall
10 be a continuing fund, not subject to fiscal year limitations, and
11 shall consist of all moneys accruing and deposited to the fund from
12 the registration fee of private prison contractors as provided in
13 subsection A of this section, and other sources of income. All
14 monies accruing to the credit of the fund are hereby appropriated
15 and may be budgeted and expended by the Administrative Office of the
16 Courts for outpatient substance abuse treatment for persons eligible
17 for alternatives to incarceration and not subject to incarceration,
18 split sentence, community sentence, drug court treatment programs,
19 or parole. Expenditures from the fund shall be made upon warrants
20 issued by the State Treasurer against claims filed as prescribed by
21 law with the Director of State Finance for approval and payment.

22 SECTION 2. This act shall become effective July 1, 2010.

23 SECTION 3. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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