

1 STATE OF OKLAHOMA

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

3 SENATE BILL 595

By: Anderson

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5  
6 AS INTRODUCED

7 An Act relating to children; creating the Juvenile  
8 Justice Public Works Act; providing short title;  
9 defining terms; directing the Office of Juvenile  
10 Affairs to establish and maintain the Juvenile Justice  
11 Public Works Program; establishing purpose of program;  
12 prohibiting the participation of certain individuals  
13 in the program; directing the Board of Juvenile  
14 Affairs to promulgate certain rules; clarifying scope  
15 and application of act; providing for certain  
16 immunity; providing for codification; and providing an  
17 effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified in  
22 the Oklahoma Statutes as Section 7302-8.2 of Title 10, unless there  
23 is created a duplication in numbering, reads as follows:

24 A. This act shall be known and may be cited as the "Juvenile  
Justice Public Works Act".

B. As used in the Juvenile Justice Public Works Act:

1. "Director" means the Director of the Office of Juvenile  
Affairs;

1        2. "Public works project" means a project that has been  
2 determined by the Director of the Office of Juvenile Affairs to be  
3 necessary for the public wellbeing and conducive to rehabilitation  
4 and the reduction of recidivism among participating juveniles or  
5 youthful offenders; and

6        3. "Juvenile or youthful offender" means any person who is under  
7 the custody and control of the Office of Juvenile Affairs.

8        C. The Office of Juvenile Affairs shall establish and maintain  
9 the Juvenile Justice Public Works Program. The purpose of the  
10 Juvenile Justice Public Works Act shall be to:

11        1. Provide labor for community service projects in order to  
12 develop lands pursuant to public works projects;

13        2. Provide improvements and beatification to public lands and  
14 buildings; and

15        3. Reduce recidivism for juvenile or youthful offenders by  
16 aiding such individuals in transitioning between institutions and the  
17 community.

18        D. No juvenile or youthful offender shall be assigned to any  
19 public works project if the offender:

20        1. Is deemed by the Director to be a threat to public safety; or

21        2. Has escaped or attempted to escape from an institution or  
22 other placement within the last year.

23        E. The Board of Juvenile Affairs shall promulgate rules as  
24 necessary to implement the provisions of this act. At a minimum, the

1 rules shall provide guidelines that establish criteria for selection  
2 and assignment to the Juvenile Justice Public Works Program and the  
3 duties to be performed by the participants in the program.

4 F. The Juvenile Justice Public Works Act shall not be construed  
5 to restore, in whole or in part, the civil rights of any juvenile or  
6 youthful offender. No juvenile or youthful offender participating in  
7 the Juvenile Justice Public Works Program shall be considered an  
8 employee of the state or the Office of Juvenile Affairs, nor shall  
9 any such participant be subject to the provisions of the labor laws  
10 of this state. Any eligible juvenile or youthful offender assigned  
11 to the Juvenile Justice Public Works Program shall be exempt from the  
12 provisions of the Workers' Compensation Act.

13 G. All state and local government agencies, nonprofit  
14 organizations, community service agencies, educational programs and  
15 other treatment programs are immune from liability for torts  
16 committed by or against any eligible juvenile or youthful offender  
17 assigned to the Juvenile Justice Public Works Program, except that  
18 the Office of Juvenile Affairs shall provide basic or necessary  
19 medical and dental care to the juvenile or youthful offenders placed  
20 in the program in such instances.

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

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