

1 STATE OF OKLAHOMA

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

3 SENATE BILL 796

By: Brogdon

4
5
6 AS INTRODUCED

7 An Act relating to corrections; amending Section 1,
8 Chapter 136, O.S.L. 2005 (57 O.S. Supp. 2008, Section
9 563.4), which relates to transitional living centers;
10 limiting certain property restrictions to certain
facilities that house certain persons; stating date
for certain grandfather provision; and declaring an
emergency.

11
12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 1, Chapter 136, O.S.L.
15 2005 (57 O.S. Supp. 2008, Section 563.4), is amended to read as
16 follows:

17 Section 563.4 A. No transitional living facility that houses
18 sex offenders or persons convicted of a capital offense shall be
19 located within two thousand five hundred (2,500) feet of any public
20 or private elementary or secondary school, state training school, or
21 residential neighborhood. Prior to the establishment of any
22 transitional living facility, the proposed operator shall obtain
23 written authorization to establish and operate the facility from the
24 governing body of the municipality in which the center is to be

1 located or, if the facility is not to be located within the
2 incorporated limits of a municipality, from the board of county
3 commissioners of the county in which the facility is to be located.
4 The provisions of this section shall not apply to any transitional
5 living facility established prior to ~~the effective date of this act~~
6 May 3, 2005.

7 B. For purposes of this section, "transitional living facility"
8 means those facilities that do not have a contract with the
9 Department of Corrections or another agency of this state, or any
10 political subdivision of this state, to provide living space for
11 persons who are under the custody of the Department of Corrections
12 and whose primary function is to provide housing assistance and
13 related social services for individuals who are transitioning from
14 previous incarceration in a county jail, state, or federal facility
15 to the community or are otherwise in need of temporary housing
16 assistance.

17 SECTION 2. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21

22 52-1-891 NP 3/6/2009 6:51:29 AM

23

24