

1 ENGROSSED HOUSE
2 BILL NO. 2499

By: Grau of the House

3 and

4 Treat of the Senate
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7 An Act relating to counties and county officers;
8 creating the Oklahoma Regional Jail District Act;
9 defining terms; authorizing creation of regional jail
10 districts; providing for the exercise of certain
11 powers; defining boundaries; providing guidelines for
12 regional jail district agreements; establishing
13 powers of regional jail district; providing for
14 regional jail commissions; providing for commission
15 members; stating tenure of commission members and
16 terms of office; describing powers and duties of
17 regional jail commissions; providing for the
18 appointment of regional jail directors; providing for
19 codification; and providing an effective date.

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
22 in the Oklahoma Statutes as Section 905 of Title 19, unless there is
23 created a duplication in numbering, reads as follows:

24 This act shall be known and may be cited as the "Oklahoma
Regional Jail District Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 905.1 of Title 19, unless there
is created a duplication in numbering, reads as follows:

1 As used in the Oklahoma Regional Jail District Act, the
2 following terms shall have the following meanings:

3 1. "Operation" includes but is not limited to leasing services,
4 contracting for services, planning, financing, construction and
5 maintenance of a regional jail regardless of the source of funding;
6 and

7 2. "Regional jail district project" includes but is not limited
8 to planning, financing and construction of a regional jail.

9 SECTION 3. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 905.2 of Title 19, unless there
11 is created a duplication in numbering, reads as follows:

12 A. Any county or combination of counties by resolution of their
13 governing boards, may jointly create a regional jail district
14 pursuant to the provisions of Section 176 of Title 60 of the
15 Oklahoma Statutes for the purpose of planning, financing,
16 construction, maintenance and operation of a jail located within the
17 boundaries of such counties. A regional jail district created
18 pursuant to the provisions of this subsection shall have the powers
19 granted pursuant to the provisions of Section 176 of Title 60 of the
20 Oklahoma Statutes in addition to the powers granted pursuant to the
21 provisions of this act except that no district created pursuant to
22 the provisions of this act shall have any power or authority to
23 exercise or to attempt to exercise any powers of eminent domain.
24 The county or combination of counties, or their agencies, creating

1 the regional jail district shall be designated the beneficiary of
2 the district. The boundaries of the regional jail district shall be
3 coterminous with the boundaries of the county or counties creating
4 the district.

5 B. The board of county commissioners of each county desiring to
6 join the regional jail district shall approve a resolution to join
7 the district and shall approve an agreement which specifies the
8 duties of each county within the regional jail district. If any
9 county wishes to join a regional jail district which has already
10 been established pursuant to this section, the agreement shall be
11 rewritten and approved by each member county.

12 C. The agreement which specifies the duties of each county
13 within the regional jail district shall contain the following:

- 14 1. The name of the regional jail district;
- 15 2. The names of the counties within the regional jail district;
- 16 3. The formula for calculating the contribution of each county
17 to the costs of the regional jail district;
- 18 4. The types of prisoners which the regional jail may house,
19 limited to prisoners which may be transferred to counties under
20 state law;
- 21 5. The methods and powers which may be used for planning,
22 constructing, financing or maintaining a regional jail;
- 23 6. The duties of the director of the regional jail; and

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1 7. The timing and procedures for approval of the annual budget
2 of the regional jail district by the regional jail commission.

3 D. Any county, city or town may contract with a regional jail
4 commission for the purposes of holding prisoners.

5 E. A regional jail district created pursuant to this section
6 shall exist for the duration of the operation of the regional jail
7 and no longer than one (1) year after cessation of operation of the
8 regional jail.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 905.3 of Title 19, unless there
11 is created a duplication in numbering, reads as follows:

12 In addition to the powers granted to the regional jail district
13 by its member counties under the agreement, the regional jail
14 district has all the powers necessary or appropriate to carry out
15 its purposes including, but not limited to, the following:

16 1. To adopt bylaws and rules for the regulation of its affairs
17 and the conduct of its business;

18 2. To maintain an office at such place or places in one or more
19 of the member counties as the commission may designate;

20 3. To sue and be sued;

21 4. To make and execute leases, contracts, releases, compromises
22 and other instruments necessary or convenient for the exercise of
23 its powers or to carry out its purposes;

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1 5. To acquire, construct, reconstruct, repair, alter, improve,
2 and extend jail facilities;

3 6. To sell, assign, mortgage, grant a security interest in,
4 exchange, donate and convey any or all of its properties whenever
5 the commission finds such action to be in furtherance of the
6 purposes of the district;

7 7. To collect rentals, fees and other charges in connection
8 with its services or for the use of any facilities; or

9 8. To issue its bonds, notes or other obligations for any of
10 its corporate purposes and to refund the same.

11 SECTION 5. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 905.4 of Title 19, unless there
13 is created a duplication in numbering, reads as follows:

14 A. Any regional jail district created pursuant to Section 3 of
15 this act shall be governed by a commission. The regional jail
16 commission shall be composed of the sheriff and presiding county
17 commissioner from each county within the district. Each regional
18 jail commissioner of the regional jail district shall serve during
19 his or her tenure as sheriff or as presiding county commissioner.

20 B. Commissioners of the regional jail district shall serve
21 until successors have been duly appointed. Vacancies on the
22 regional jail commission shall be filled by the succeeding sheriff
23 or presiding county commissioner for the remainder of the term.

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1 C. Commissioners of the regional jail district shall serve
2 without compensation, except that they shall be reimbursed by the
3 district for any reasonable and necessary expenses in the
4 performance of duties as regional jail commissioner.

5 SECTION 6. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 905.5 of Title 19, unless there
7 is created a duplication in numbering, reads as follows:

8 A. The director, appointed by the regional jail commission,
9 shall administer the regional jail.

10 B. The director shall be paid a salary determined by the
11 regional jail commission. The director shall have the authority to
12 hire other officers and employees for positions that are authorized
13 by the commission.

14 SECTION 7. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 905.6 of Title 19, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The regional jail established pursuant to the provisions of
18 Section 3 of this act may be used to hold prisoners who have pled
19 guilty or been found guilty of a crime or prisoners who are being
20 held prior to or during trial.

21 B. Each county within the regional jail district may keep its
22 own jail for holding any prisoners who have pled guilty or been
23 found guilty of a crime or who are being held prior to or during
24 trial.

