

1 ENGROSSED SENATE
2 BILL NO. 1363

By: Nichols of the Senate

3 and

4 Martin (Scott) of the House

5
6 [private prisons - correctional facilities -
7 effective date]
8

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

10 SECTION 1. AMENDATORY 57 O.S. 2011, Section 561.2, is
11 amended to read as follows:

12 Section 561.2. A. The Oklahoma Department of Corrections shall
13 develop criteria for selection of a site upon which to construct the
14 correctional facilities described in subsection B of Section ~~79~~ of
15 ~~this act~~ 183 of Title 73 of the Oklahoma Statutes. The criteria
16 shall include, but shall not be limited to, the availability of
17 medical services, support services, transportation services, the
18 availability of potential employees who would be qualified to
19 perform required functions at a state correctional facility and any
20 benefits or incentives offered by the applicant. The criteria shall
21 be subject to approval by the Board of Corrections.

22 B. The Oklahoma Department of Corrections shall establish a
23 process for requesting proposals to construct a correctional
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1 facility built with the funds authorized pursuant to Section ~~79 of~~
2 ~~this act~~ 183 of Title 73 of the Oklahoma Statutes.

3 C. Proposals shall be submitted not later than thirty (30) days
4 after receipt of the request. The Department shall identify the
5 proposals meeting the criteria approved pursuant to subsection A of
6 this section within thirty (30) days after receipt of the proposals.
7 The Department of Corrections shall identify by appropriate review
8 and analysis the proposals submitted and shall select a maximum of
9 three proposals which conform to the criteria set out in subsection
10 A of this section and shall forward the proposals meeting criteria
11 to the Board of Corrections.

12 D. The Department of Corrections shall deliver to the Board of
13 Corrections the top three qualified proposals identified pursuant to
14 this section together with the information reviewed and analyzed by
15 the Department of Corrections during analysis of the proposals as
16 required by this section. The Board of Corrections shall evaluate
17 the information provided and shall make a final decision selecting
18 the best site for the correctional facility within fifteen (15) days
19 of receipt of the information.

20 E. Any plans developed pursuant to the process for selection of
21 a contractor for construction of a facility authorized pursuant to
22 Section ~~79 of this act~~ 183 of Title 73 of the Oklahoma Statutes
23 shall become the nonexclusive property of the State of Oklahoma as a
24 condition of the award of the final contract for construction of the

1 facility. The State of Oklahoma shall not be obligated to obtain
2 any further permission for use of the plans or to make payment to
3 any person or other legal entity for the further use of the plans as
4 may be needed for additional projects for site adaptation for
5 buildings, structures, or both, for use by the Department of
6 Corrections.

7 F. The Department of Central Services shall be responsible for
8 any changes or updates of such plans for construction of any
9 additional correctional facility constructed using the plans
10 described in subsection E of this section. The Oklahoma Department
11 of Transportation and the Department of Central Services shall
12 provide such architectural, engineering and consulting services as
13 the Department of Corrections may require in order to adapt existing
14 plans for use in construction of additional correctional facilities.

15 G. If the Department of Corrections requires architectural,
16 engineering or other consulting services in addition to those
17 services authorized by subsection F of this section, the Department
18 of Central Services shall be authorized to enter into a contract
19 with an architect, engineer or for other necessary services, as may
20 be required in order to adapt existing plans for new sites for
21 additional correctional facilities. The costs of any such services
22 shall be paid by the Department of Corrections.

23 SECTION 2. This act shall become effective November 1, 2012.
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