

1 **SENATE FLOOR VERSION**

2 April 2, 2012

3 As Amended

4 ENGROSSED HOUSE

5 BILL NO. 3049

6 By: Sanders of the House

7 and

8 Marlatt of the Senate

9 **[ sex offenders - registering offenders - effective**  
10 **date ]**

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

12 SECTION 1. AMENDATORY 57 O.S. 2011, Section 590, is  
13 amended to read as follows:

14 Section 590. A. It is unlawful for any person registered  
15 pursuant to the Sex Offenders Registration Act to reside, either  
16 temporarily or permanently, within a two-thousand-foot radius of any  
17 public or private school site, educational institution, property or  
18 campsite used by an organization whose primary purpose is working  
19 with children, a playground or park that is established, operated or  
20 supported in whole or in part by city, county, state, federal or  
21 tribal government, or licensed child care center as defined by the  
22 Department of Human Services. Establishment of a day care center or  
23 park in the vicinity of the residence of a registered sex offender  
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1 will not require the relocation of the sex offender or the sale of  
2 the property. On the effective date of this act, the distance  
3 indicated in this section shall be measured from the nearest  
4 property line of the residence of the person to the nearest property  
5 line of the public or private school site, educational institution,  
6 property or campsite used by an organization whose primary purpose  
7 is working with children, playground, park, or licensed child care  
8 facility; provided, any nonprofit organization established and  
9 housing sex offenders prior to the effective date of this provision  
10 shall be allowed to continue its operation.

11 ~~B.~~ Nothing in this provision shall require any person to sell  
12 or otherwise dispose of any real estate or home acquired or owned  
13 prior to the conviction of the person as a sex offender.

14 B. It shall be unlawful for any person who is required to  
15 register pursuant to the Sex Offenders Registration Act for any  
16 offense in which a minor child was the victim to reside with a minor  
17 child or establish any other living accommodation where a minor  
18 child resides. Provided, however, the person may reside with a  
19 minor child if the person is the parent, stepparent or grandparent  
20 of the minor child and the minor child was not the victim of the  
21 offense for which the person is required to register.

22 C. The provisions of this section shall not apply to any  
23 registered sex offender residing in a hospital or other facility  
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1 certified or licensed by the State of Oklahoma to provide medical  
2 services.

3 D. Any person willfully violating the provisions of this  
4 section by intentionally:

5 1. Intentionally moving into any neighborhood or to any real  
6 estate or home within the prohibited distance; or

7 2. Intentionally moving into a residence with a minor child or  
8 establishing any other living accommodation where a minor child  
9 resides as specified in subsection B of this section,

10 shall, upon conviction, be guilty of a felony punishable by a fine  
11 not to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment  
12 in the custody of the Department of Corrections for a term of not  
13 less than one (1) year nor more than three (3) years, or by both  
14 such fine and imprisonment. Any person convicted of a second or  
15 subsequent violation of this section shall be punished by a fine not  
16 to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment in  
17 the custody of the Department of Corrections for a term of not less  
18 than three (3) years, or by both such fine and imprisonment.

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

20 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 3-29-12 - DO  
21 PASS, As Amended.

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