

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1363

By: Nichols

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5
6 AS INTRODUCED

7 An Act relating to private prisons; amending 57 O.S.
8 2011, Section 561.2, which relates to siting of
9 certain correctional facilities; clarifying
10 references; and providing an effective date.

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

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

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

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

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

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

22 E. Any plans developed pursuant to the process for selection of
23 a contractor for construction of a facility authorized pursuant to
24 ~~Section 79 of this act~~ Section 183 of Title 73 of the Oklahoma

1 Statutes shall become the nonexclusive property of the State of
2 Oklahoma as a condition of the award of the final contract for
3 construction of the facility. The State of Oklahoma shall not be
4 obligated to obtain any further permission for use of the plans or
5 to make payment to any person or other legal entity for the further
6 use of the plans as may be needed for additional projects for site
7 adaptation for buildings, structures, or both, for use by the
8 Department of Corrections.

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

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

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

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