

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 926

By: Johnson (Constance)

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5  
6 AS INTRODUCED

7 An Act relating to corrections; requiring development  
8 of certain certificate program by the Department of  
9 Corrections; providing for adoption of rules;  
10 authorizing issuance of certain certificates to  
11 certain persons; stating limitations; stating  
12 prohibitions on automatic forfeiture for certain  
13 documents; providing exceptions; clarifying certain  
14 revocation and suspension powers of other entities;  
15 providing for codification; and providing an  
16 effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 568 of Title 57, unless there is  
20 created a duplication in numbering, reads as follows:

21 A. Upon the effective date of this act, the Department of  
22 Corrections shall develop a certificate program as provided in this  
23 section for those offenders set for release. The Board of  
24 Corrections shall promulgate and adopt any rules necessary to carry  
out the provisions of this act.

B. A certificate of relief from disabilities may be granted as  
provided in this section to relieve an eligible offender of any

1 forfeiture or disability, or to remove any bar to his or her  
2 employment, automatically imposed by law by reason of a conviction  
3 of a crime or of an offense specified therein. Such certificate may  
4 be limited to one or more enumerated forfeitures, disabilities or  
5 bars, or may relieve the eligible offender of all forfeitures,  
6 disabilities and bars. Provided, however, that no such certificate  
7 shall apply, or be construed so as to apply, to the right of such  
8 person to retain or to be eligible for public office.

9 C. Notwithstanding any other provision of law, except for an  
10 offense pursuant to Section 751 et seq. of Title 47 of the Oklahoma  
11 Statutes, a conviction of a crime or of an offense specified in a  
12 certificate of relief from disabilities shall not cause automatic  
13 forfeiture of any license, permit, employment, or franchise,  
14 including the right to register for or vote at an election, except  
15 those deemed a violent felony offense as provided by law, or  
16 automatic forfeiture of any other right or privilege, held by the  
17 eligible offender and covered by the certificate. Nor shall such  
18 conviction be deemed to be a conviction within the meaning of any  
19 provision of law that imposes, by reason of a conviction, a bar to  
20 any employment, a disability to exercise any right, or a disability  
21 to apply for or to receive any license, permit, or other authority  
22 or privilege covered by the certificate; provided, however, that a  
23 conviction for a second or subsequent violation of Section 751 et  
24 seq. of Title 47 of the Oklahoma Statutes committed within the

1 preceding ten (10) years shall impose a disability to apply for or  
2 receive a driver license during the period provided in such law; and  
3 provided further, however, that a conviction for any felony as  
4 provided by law, shall impose a disability to apply for or receive a  
5 license or permit issued pursuant to the Oklahoma Self-Defense Act.

6 D. Notwithstanding any other provision of law, except for an  
7 offense pursuant to Section 751 et seq. of Title 47 of the Oklahoma  
8 Statutes, a conviction of a crime or of an offense specified in a  
9 certificate of relief from disabilities shall not cause automatic  
10 forfeiture of any license, other than a license issued pursuant to  
11 the Oklahoma Self-Defense Act, or permit, employment, or franchise,  
12 including the right to register for or vote at an election, except  
13 being convicted of any felony offense as provided by law, or  
14 automatic forfeiture of any other right or privilege, held by the  
15 eligible offender and covered by the certificate. Nor shall such  
16 conviction be deemed to be a conviction within the meaning of any  
17 provision of law that imposes, by reason of a conviction, a bar to  
18 any employment, a disability to exercise any right, or a disability  
19 to apply for or to receive any license, permit, or other authority  
20 or privilege covered by the certificate; provided, however, that a  
21 conviction for a second or subsequent violation of any of the  
22 offenses in this subsection within the preceding ten (10) years  
23 shall impose a disability to apply for or receive a driver license  
24 during the period provided in such law; and provided further,

1 however, that a conviction for any felony, shall impose a disability  
2 to apply for or receive a license or permit issued pursuant to the  
3 Oklahoma Self-Defense Act.

4 E. A certificate of relief from disabilities shall not,  
5 however, in any way prevent any judicial, administrative, licensing  
6 or other body, board or authority from relying upon the conviction  
7 specified therein as the basis for the exercise of its discretionary  
8 power to suspend, revoke, refuse to issue or refuse to renew any  
9 license, permit or other authority or privilege.

10 SECTION 2. This act shall become effective November 1, 2011.

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