

BILL SUMMARY
1st Session of the 53rd Legislature

Bill No.:	HB1350
Version:	Introduced
Request Number:	5483
Author:	Representative Blackwell
Date:	2/10/2011
Impact:	\$912,500

Research Analysis

The measure makes modifications to the Juvenile Sex Offender Registration Act to comply with the provisions of the federal Adam Walsh Act. Requires Office of Juvenile Affairs to send juvenile registration to the Department of Corrections for placement in the Oklahoma sex offender registry. Requires offenders currently on the juvenile sex offender registry to be placed on the adult registry when the offender reaches 18 years of age. Requires any offender 14 years of age who commits a sex offense after July 1, 2011 to be registered on the adult registry. Requires notification by the registrant to be made to tribal police. Requires registered offenders to supply palm prints.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 1350 concerning that Oklahoma's residency and working restrictions shall not apply to juveniles who are required to register, but the restrictions do apply once the juvenile becomes 18, is emancipated, or no longer resides with the parent or guardian could have a substantial fiscal impact on the operations of the Office of Juvenile Affairs. Youth in the custody of the Office of Juvenile Affairs (OJA) can and do extend beyond their 18th birthdays on many occasions. Therefore, youth in the custody of the OJA who are required to register and who have obtained the age of 18 would not be allowed to be within 500 feet of a school, child care center, playground or park (21 O.S. Section 1125.) Therefore, said youth could not be residents or continue to be residents of the three secure facilities operated by OJA or any Level E facility within the OJA system without violating the provisions of Section 1125.

This would require OJA to develop a specialized facility to house just those offenders. It would be anticipated that for each youth so housed the cost would be \$250/day/bed. OJA currently has 10 youth who are over the age of 18 in OJA custody that if this bill passed, they would be required to be house separately, which is projected to cost \$912,500/year. Additional costs would consist of providing palm print capabilities to the collected information for juvenile sex offenders, which is not currently collected, as well as any other unforeseen system modifications.

Prepared By: David Ligon

Other Considerations

OJA believes the legislation shifts the burden from the state to prove that a youth should be registered, to be the youth must argue and prove that they should not be required to register in certain situations.

Title 10 O.S. Section 2-8-104 is not mentioned in this bill and this bill does not correlate with that section of law. According to OJA, authorization of the district attorney to make the determination of whether an application of the juvenile may be made for the juvenile sex offender registry would not be clear, nor would the statements regarding the individuals who must take part in the final determination, the established criteria, the court's determination, the court's discretion, or the court's review of treatment.