

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1364

6 By: Griffin

7 COMMITTEE SUBSTITUTE

8 An Act relating to zone of safety; amending 21 O.S.
9 2011, Section 1125, which relates to zones of safety
10 and restrictions on convicted sex offenders;
11 modifying what a park is; modifying age of certain
12 victims; prohibiting certain persons convicted of
13 certain crimes from entering certain parks; and
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1125, is
17 amended to read as follows:

18 Section 1125. A. A zone of safety is hereby created around
19 elementary, junior high and high schools, permitted or licensed
20 child care centers as defined by the Department of Human Services,
21 playgrounds, and ~~parks~~ any property operated or supported in whole
22 or in part by a city, town, county or state governmental authority
23 as a park.

24 1. A person is prohibited from loitering within five hundred
(500) feet of any elementary, junior high or high school, permitted

1 or licensed child care center, playground, or park if the person has
2 been convicted of a crime that requires the person to register
3 pursuant to the Sex Offenders Registration Act or the person has
4 been convicted of an offense in another jurisdiction, which offense
5 if committed or attempted in this state, would have been punishable
6 as one or more of the offenses listed in Section 582 of Title 57 of
7 the Oklahoma Statutes and the victim was a child under the age of
8 ~~thirteen (13)~~ sixteen (16) years.

9 2. A person is prohibited from entering any property operated
10 or supported in whole or in part by a city, town, county or state
11 governmental authority as a park if:

12 a. the person has been designated as a habitual or
13 aggravated sex offender as provided in Section 584 of
14 Title 57 of the Oklahoma Statutes, or

15 b. the person has been convicted of an offense in another
16 jurisdiction, which offense, if committed or attempted
17 in this state, would designate the person as a
18 habitual or aggravated sex offender as provided in
19 Section 584 of Title 57 of the Oklahoma Statutes.

20 B. A person convicted of a violation of subsection A of this
21 section shall be guilty of a felony punishable by a fine not
22 exceeding Two Thousand Five Hundred Dollars (\$2,500.00), or by
23 imprisonment in the county jail for a term of not more than one (1)
24 year, or by both such fine and imprisonment. Any person convicted

1 of a second or subsequent violation of subsection A of this section
2 shall be punished by a fine not exceeding Two Thousand Five Hundred
3 Dollars (\$2,500.00), or by imprisonment in the custody of the
4 Department of Corrections for a term of not less than three (3)
5 years, or by both such fine and imprisonment. This proscription of
6 conduct shall not modify or remove any restrictions currently
7 applicable to the person by court order, conditions of probation or
8 as provided by other provision of law.

9 C. 1. A person shall be exempt from the prohibition of this
10 section regarding a school or a licensed or permitted child care
11 facility only under the following circumstances and limited to a
12 reasonable amount of time to complete such tasks:

- 13 a. the person is the custodial parent or legal guardian
14 of a child who is an enrolled student at the school or
15 child care facility, and
- 16 b. the person is enrolling, delivering or retrieving such
17 child at the school or licensed or permitted child
18 care center during regular school or facility hours or
19 for school-sanctioned or licensed-or-permitted-child-
20 care-center-sanctioned extracurricular activities.

21 Prior to entering the zone of safety for the purposes listed in
22 this paragraph, the person shall inform school or child care center
23 administrators of his or her status as a registered sex offender.
24 The person shall update monthly, or as often as required by the

1 school or center, information about the specific times the person
2 will be within the zone of safety as established by this section.

3 2. This exception shall not be construed to modify or remove
4 any restrictions applicable to the person by court order, conditions
5 of probation, or as provided by other provision of law.

6 D. The provisions of subsection A of this section shall not
7 apply to any person receiving medical treatment at a hospital or
8 other facility certified or licensed by the State of Oklahoma to
9 provide medical services. As used in this subsection, "medical
10 treatment" shall not include any form of psychological, social or
11 rehabilitative counseling services or treatment programs for sex
12 offenders.

13 E. Nothing in this section shall prohibit a person, who is
14 registered as a sex offender pursuant to the Sex Offenders
15 Registration Act, from attending a recognized church or religious
16 denomination for worship; provided, the person has notified the
17 religious leader of his or her status as a registered sex offender
18 and the person has been granted written permission by the religious
19 leader.

20 F. For purpose of prosecution of any violation of this section,
21 the provisions of Section 51.1 of this title shall not apply.

22 SECTION 2. This act shall become effective November 1, 2014.

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