

05/16/2013 10:55:20 AM

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB1890**

By: Cockroft of the House and Griffin of the Senate

Title: Crimes and punishments; modifying certain age limitation; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

**HOUSE CONFEREES**

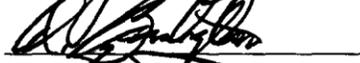
Biggs, Scott R.		Echols, Jon	
Inman, Scott	<hr/>	Johnson, Dennis	
Jordan, Fred		Martin, Steve	
McBride, Mark		McCall, Charles A.	
McCullough, Mark		Morrisette, Richard	<hr/>
Newell, Tom		Osborn, Leslie	
Sherrer, Ben	<hr/>	Stiles, Aaron	<hr/>
Virgin, Emily	<hr/>	Williams, Cory T.	<hr/>

**SENATE CONFEREES**

Griffin



Barrington



David



Paddack

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Sparks

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Holt

David Holt

**AUTHOR(s)/COAUTHOR(s) CURRENTLY IN THE QUEUE for HB1890**

**As of 5/16/2013 11:00:47 AM**

Add as coauthor Senator Brecheen

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 CONFERENCE COMMITTEE  
4 SUBSTITUTE  
5 FOR ENGROSSED  
6 HOUSE BILL NO. 1890

By: Cockroft, Biggs and Hulbert  
of the House

7 and

8 Griffin of the Senate

9  
10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to crimes and punishments; amending  
12 21 O.S. 2011, Section 1125, which relates to zone of  
13 safety restrictions for sex offenders; clarifying  
14 scope of prohibited act; modifying certain age  
15 limitation; construing certain provision; and  
16 providing an effective date.

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

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

20 Section 1125. A. A zone of safety is hereby created around  
21 elementary, junior high and high schools, permitted or licensed  
22 child care centers as defined by the Department of Human Services,  
23 playgrounds, and ~~parks~~ any property leased, operated or supported in  
24 whole or in part by a city, town, county, or state governmental  
authority as a park including, but not limited to, any such property

1 used for sporting events, cultural events or recreational events. A  
2 person is prohibited from loitering within five hundred (500) feet  
3 of any elementary, junior high or high school, permitted or licensed  
4 child care center, or playground, ~~or~~ and loitering within the zone  
5 of safety of any property leased, operated or supported in whole or  
6 in part by a city, town, county, or state governmental authority as  
7 a park including, but not limited to, any such property used for  
8 sporting events, cultural events or recreational events if the  
9 person has been convicted of a crime that requires the person to  
10 register pursuant to the Sex Offenders Registration Act or the  
11 person has been convicted of an offense in another jurisdiction,  
12 which offense if committed or attempted in this state, would have  
13 been punishable as one or more of the offenses listed in Section 582  
14 of Title 57 of the Oklahoma Statutes and the victim was a child  
15 under the age of ~~thirteen (13)~~ sixteen (16) years.

16 B. A person convicted of a violation of subsection A of this  
17 section shall be guilty of a felony punishable by a fine not  
18 exceeding Two Thousand Five Hundred Dollars (\$2,500.00), or by  
19 imprisonment in the county jail for a term of not more than one (1)  
20 year, or by both such fine and imprisonment. Any person convicted  
21 of a second or subsequent violation of subsection A of this section  
22 shall be punished by a fine not exceeding Two Thousand Five Hundred  
23 Dollars (\$2,500.00), or by imprisonment in the custody of the  
24 Department of Corrections for a term of not less than three (3)

1 years, or by both such fine and imprisonment. This proscription of  
2 conduct shall not modify or remove any restrictions currently  
3 applicable to the person by court order, conditions of probation or  
4 as provided by other provision of law.

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

9 a. the person is the custodial parent or legal guardian  
10 of a child who is an enrolled student at the school or  
11 child care facility, and

12 b. the person is enrolling, delivering or retrieving such  
13 child at the school or licensed or permitted child  
14 care center during regular school or facility hours or  
15 for school-sanctioned or licensed-or-permitted-child-  
16 care-center-sanctioned extracurricular activities.

17 Prior to entering the zone of safety for the purposes listed in  
18 this paragraph, the person shall inform school or child care center  
19 administrators of his or her status as a registered sex offender.  
20 The person shall update monthly, or as often as required by the  
21 school or center, information about the specific times the person  
22 will be within the zone of safety as established by this section.

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

4           D. Nothing in this section shall be construed to allow a parent  
5 or legal guardian who is a registered sex offender to enter a zone  
6 of safety for any purpose except as provided in subsection C of this  
7 section.

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

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

22           ~~F.~~ G. For purpose of prosecution of any violation of this  
23 section, the provisions of Section 51.1 of this title shall not  
24 apply.

1 SECTION 2. This act shall become effective November 1, 2013.

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3 54-1-8033 GRS 05/06/13  
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