HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2596 By: Peterson of the House

and

Newberry of the Senate

AS INTRODUCED

An Act relating to prisons and reformatories; amending 57 O.S. 2011, Section 582, which relates to the Sex Offenders Registration Act; making persons convicted of certain crime subject to registration requirements; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 2011, Section 582, is amended to read as follows:

Section 582. A. The provisions of the Sex Offenders Registration Act shall apply to any person residing, working or attending school within the State of Oklahoma who, after November 1, 1989, has been convicted, whether upon a verdict or plea of guilty or upon a plea of nolo contendere, or received a suspended sentence or any probationary term, or is currently serving a sentence or any

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form of probation or parole for a crime or an attempt to commit a crime provided for in Section 843.5 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation as those terms are defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes~~,~~; Section 681 of Title 21 of the Oklahoma Statutes, if the offense involved sexual assault~~,~~; Section 741 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation~~,~~; Section 748 of Title 21 of the Oklahoma Statutes, if the offense involved the trafficking of a minor for commercial sex; Section 843.1 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation~~,~~; Section 852.1 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse of a child~~,~~; Sections 865 et seq., 885, 886, 888~~,~~ and 891 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation~~,~~; and Sections 1021, 1021.2, 1021.3, 1024.2, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1, 1114 ~~or~~ and 1123 of Title 21 of the Oklahoma Statutes.

B. The provisions of the Sex Offenders Registration Act shall apply to any person who after November 1, 1989, resides, works or attends school within the State of Oklahoma and who has been convicted or received a suspended sentence at any time in any court of another state, the District of Columbia, Puerto Rico, Guam, American Samoa, the Northern Mariana Islands and the United States

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Virgin Islands, a federal court, an Indian tribal court, a military court, or a court of a foreign country for a crime, attempted crime or a conspiracy to commit a crime which, if committed or attempted in this state, would be a crime, an attempt to commit a crime or a conspiracy to commit a crime provided for in any of said laws listed in subsection A of this section.

C. The provisions of the Sex Offenders Registration Act shall apply to any person who resides, works or attends school within the State of Oklahoma and who has received a deferred judgment at any time in any court of another state, the District of Columbia, Puerto Rico, Guam, American Samoa, the Northern Mariana Islands and the United States Virgin Islands, a federal court, an Indian tribal court, a military court, or a court of a foreign country for a crime, attempted crime or a conspiracy to commit a crime which, if committed or attempted or conspired to be committed in this state, would be a crime, an attempt to commit a crime or a conspiracy to commit a crime provided for in Section 843.5 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation as those terms are defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes~~,~~; Section 681 of Title 21 of the Oklahoma Statutes, if the offense involved sexual assault~~,~~; Section 741 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation~~,~~; Section 748 of Title 21 of the Oklahoma Statutes, if the offense involved the trafficking of a

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minor for commercial sex; Section 843.1 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation~~,~~; Section 852.1 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse of a child~~,~~; Sections 865 et seq., 885, 886, 888~~,~~ and 891 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation~~,~~; and Sections 1021, 1021.2, 1021.3, 1024.2, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1, 1114 ~~or~~ and 1123 of Title 21 of the Oklahoma Statutes. The provisions of the Sex Offenders Registration Act shall not apply to any such person while the person is incarcerated in a maximum or medium correctional institution of the Department of Corrections.

D. On the effective date of this act, any person registered as a sex offender pursuant to Section 741 of Title 21 of the Oklahoma Statutes shall be summarily removed from the Sex Offender Registry by the Department of Corrections and all law enforcement agencies of any political subdivision of this state, unless the offense involved sexual abuse or sexual exploitation.

E. The provisions of the Sex Offenders Registration Act shall not apply to any such person who has received a criminal history records expungement for a conviction in another state for a crime or attempted crime which, if committed or attempted in this state, would be a crime or an attempt to commit a crime provided for in any said laws listed in subsection A of this section.

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

COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/26/2014 - DO PASS, As Coauthored.

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