

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 578

By: Shaw and Pittman of the
Senate

3
4 and

5 Cox of the House
6
7

8 An Act relating to offenders; amending 63 O.S. 2011,
9 Section 1-849, which relates to long-term care
10 facility for offenders; allowing the Department of
11 Corrections to recommend certain parole
12 considerations; providing definitions; providing for
13 recodification; and providing an effective date.

14 AUTHOR: Add the following House Coauthor: Shelton

15 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
16 and insert

17 "An Act relating to offenders; amending 63 O.S. 2011,
18 Section 1-849, which relates to long-term care
19 facility for offenders; allowing the Department of
20 Corrections to recommend certain parole
21 considerations; providing definitions; directing the
22 Department of Corrections to develop and provide
23 list of eligible offenders; providing exceptions;
24 providing for recodification; and providing an
effective date.

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

1 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-849, is
2 amended to read as follows:

3 Section 1-849. A. ~~The State Department of Health shall~~
4 ~~initiate a request for proposal for the operation of a stand-alone~~
5 ~~long-term care facility for sex offenders who are assigned a numeric~~
6 ~~risk level of II or III as provided in the Sex Offenders~~
7 ~~Registration Act. The request for proposal shall set forth~~
8 ~~surveillance and security specifications providing for heightened~~
9 ~~security of residents to protect the public and residents of the~~
10 ~~facility.~~

11 B. ~~The State Board of Health~~ Department of Corrections shall
12 promulgate rules and establish procedures necessary to ~~implement the~~
13 ~~request for proposal and the operation of the~~ allow the eligibility
14 of certain offenders to be considered for parole to a private,
15 stand-alone, long-term care facility for Level II and III sex
16 offenders any offender deemed by the Department of Corrections to be
17 either terminally ill or progressively debilitated as defined by the
18 medical profession.

19 B. For the purpose of this section:

20 1. Terminally ill means having a condition that reasonably may
21 be expected to result in death within twenty-four (24) months; and

22 2. Long-term care facility means a health care facility, other
23 than a general acute or specialty hospital, constructed, licensed,
24 and operated to provide patient living accommodations, twenty-four-

1 hour staff availability, and at least two of the following patient
2 services:

3 a. a selection of patient care services, under the
4 direction and supervision of a registered nurse,
5 ranging from continuous medical, skilled nursing,
6 psychological, or other professional therapies to
7 intermittent health-related or paraprofessional care
8 services, and

9 b. a structured supportive living environment that
10 provides support or assistance with individual
11 activities of daily living.

12 C. The Department of Corrections will create a list of
13 offenders eligible for parole to the private, stand-alone, long-term
14 care facility to be provided to the Oklahoma Pardon and Parole Board
15 for consideration.

16 D. Eligible offenders shall not include offenders who are
17 sentenced as follows:

18 1. Death row inmates;

19 2. Life without possibility of parole; or

20 3. Sentenced for a violent offense as listed in Section 571 of
21 Title 57 of the Oklahoma Statutes.

22 SECTION 2. RECODIFICATION 63 O.S. 2011, Section 1-849,
23 shall be recodified as Section 629 of Title 57 of the Oklahoma
24 Statutes, unless there is created a duplication in numbering.

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23 ~~facility.~~

24 B. ~~The State Board of Health~~ Department of Corrections shall
promulgate rules and establish procedures necessary to ~~implement the~~

1 ~~request for proposal and the operation of the~~ allow the eligibility
2 of certain offenders to be considered for parole to a private stand-
3 alone long-term care facility for:

4 ~~Level II and III sex offenders~~ 1. Felony offenders; or
5 2. Any offender deemed by the Department of Corrections to be
6 either terminally ill or progressively debilitated as defined by the
7 medical profession.

8 B. For the purpose of this section:

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10 be expected to result in death within twenty-four (24) months;

11 2. Long-term care facility means a health care facility, other
12 than a general acute or specialty hospital, constructed, licensed,
13 and operated to provide patient living accommodations, twenty-four
14 (24) hour staff availability, and at least two of the following
15 patient services:

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