ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 2398 By: Biggs and Tadlock of the House

and

Griffin of the Senate

[crime victims - directing the Department of Corrections to give certain notice to the Oklahoma Victim Information and Notification Everyday (VINE) service - effective date]

AUTHOR: Add the following House Coauthors: Sanders and Jordan

AUTHOR: Add the following Senate Coauthor: Brooks

AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause and entire bill and insert

"An Act relating to crime victims; amending 21 O.S. 2011, Section 142A-13, which relates to the Oklahoma Victim's Rights Act; adding notification requirement; directing the Department of Corrections to give certain notice regarding release of offenders; providing time limitation for providing notice; prohibiting the release of inmates until notification provided; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 142A-13, is amended to read as follows:

Section 142A-13. A. Upon the granting of a parole by the Governor, and release of the inmate to the community, the Pardon and Parole Board shall provide written notification to any victim of the crime for which the parolee was convicted by mailing the notification to the last-known address of the victim, if such information is requested by the victim. The Pardon and Parole Board shall not give the address of the parolee to any victim of the crime for which the parolee was convicted.

B. Upon the granting of a pardon by the Governor, the Pardon and Parole Board shall provide written notification to any victim of the crime for which the person receiving the pardon was convicted by mailing the notification to the last-known address of the victim, if such information is requested by the victim. The Pardon and Parole Board shall not give the address of the person receiving the pardon to any victim of the crime for which the person receiving the pardon was convicted.

C. The notification shall be made on a monthly basis by the tenth day of the month following the granting of the pardon or parole.

<u>D. To help ensure that crime victims are guaranteed the right to receive proper and timely notification of when an inmate is to be released, the Department of Corrections shall be required to give</u>

notice of the date of release or date of anticipated release of the inmate to a service provider designated by the Attorney General that provides this service relating to the release of offenders convicted of the following offenses:

1. Rape in the first degree;

2. Attempted murder; and

3. Domestic abuse punished by a felony.

The notice shall be given on or before the date of anticipated release of the inmate. Unless otherwise provided by law, the Department of Corrections shall be prohibited from releasing the inmate to the community until the notification has been provided to and received by the designated service provider.

E. Nothing in this section shall be deemed to impose any liability upon or to give rise to a cause of action against any public official, public employee or public agency for failure to provide notification.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360.1 of Title 57, unless there is created a duplication in numbering, reads as follows:

To help ensure that crime victims are guaranteed the right to receive proper and timely notification of when an inmate is to be released, the Department of Corrections shall be required to give notice of the date of release or date of anticipated release of the inmate to a service provider designated by the Attorney General that

provides this service relating to the release of offenders convicted of the following offenses:

1. Rape in the first degree;

2. Attempted murder; and

3. Domestic abuse punished by a felony.

The notice shall be given on or before the date of anticipated release of the inmate. The Department of Corrections shall be prohibited from releasing the inmate to the community until the notification has been provided to and received by the designated service provider.

Nothing in this section shall be deemed to impose any liability upon or to give rise to a cause of action against any public official, public employee or public agency for failure to provide notification.

SECTION 3. This act shall become effective November 1, 2018."

Passed the Senate the 20th day of April, 2016.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2016.

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Presiding Officer of the House
of Representatives