

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 578

By: Shaw and Pittman of the  
Senate

and

Cox of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to offenders; amending 63 O.S. 2011,  
12 Section 1-849, which relates to long-term care  
13 facility for offenders; allowing the Department of  
14 Corrections to recommend certain parole  
15 considerations; providing definitions; directing the  
Department of Corrections to develop and provide list  
of eligible offenders; providing exceptions;  
providing for recodification; and providing an  
effective date.

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

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

21 Section 1-849. A. ~~The State Department of Health shall~~  
22 ~~initiate a request for proposal for the operation of a stand-alone~~  
23 ~~long-term care facility for sex offenders who are assigned a numeric~~  
24 ~~risk level of II or III as provided in the Sex Offenders~~

1 ~~Registration Act. The request for proposal shall set forth~~  
2 ~~surveillance and security specifications providing for heightened~~  
3 ~~security of residents to protect the public and residents of the~~  
4 ~~facility.~~

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

13 B. For the purpose of this section:

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

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

21 a. a selection of patient care services, under the  
22 direction and supervision of a registered nurse,  
23 ranging from continuous medical, skilled nursing,  
24 psychological, or other professional therapies to

1 intermittent health-related or paraprofessional care  
2 services, and

3 b. a structured supportive living environment that  
4 provides support or assistance with individual  
5 activities of daily living.

6 C. The Department of Corrections will create a list of  
7 offenders eligible for parole to the private, stand-alone, long-term  
8 care facility to be provided to the Oklahoma Pardon and Parole Board  
9 for consideration; and

10 D. Eligible offenders shall not include offenders who are  
11 sentenced as follows:

12 a. Death Row Inmates,

13 b. Life without possibility of parole, or

14 c. Sentenced for a violent offense as listed in Section  
15 571 of Title 57 of the Oklahoma State Statutes.

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

19 SECTION 3. This act shall become effective November 1, 2015.

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21 55-1-7375 JM 04/09/15  
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