

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR  
5 SENATE BILL 578

By: Shaw and Pittman

6  
7 COMMITTEE SUBSTITUTE

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

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

17 Section 1-849. A. ~~The State Department of Health shall  
18 initiate a request for proposal for the operation of a stand-alone  
19 long-term care facility for sex offenders who are assigned a numeric  
20 risk level of II or III as provided in the Sex Offenders  
21 Registration Act. The request for proposal shall set forth  
22 surveillance and security specifications providing for heightened  
23 security of residents to protect the public and residents of the  
24 facility.~~

1 B. ~~The State Board of Health~~ Department of Corrections shall  
2 promulgate rules and establish procedures necessary to ~~implement the~~  
3 ~~request for proposal and the operation of the~~ allow the eligibility  
4 of certain offenders to be considered for parole to a private stand-  
5 alone long-term care facility for:

6 1. ~~Level II and III sex offenders~~ Felony offenders; or

7 2. Any offender deemed by the Department of Corrections to be  
8 either terminally ill or progressively debilitated as defined by the  
9 medical profession.

10 C. For the purpose of this section:

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

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

18 a. a selection of patient care services, under the  
19 direction and supervision of a registered nurse,  
20 ranging from continuous medical, skilled nursing,  
21 psychological, or other professional therapies to  
22 intermittent health-related or paraprofessional care  
23 services; and

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

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

8           4. Eligible offenders shall not include offenders who are  
9           sentenced as follows:

10           a. Death Row Inmates

11           b. Life without possibility of parole

12           c. Sentenced for a violent offense as listed in Section  
13           571 of Title 57 of the Oklahoma State Statutes.

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

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

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