SENATE FLOOR VERSION
February 5, 2015

SENATE BILL NO. 38 By: Shaw of the Senate

An Act relating to crime and punishment; amending 57 O.S. 2011, Section 332.18, as amended by Section 4, Chapter 124, O.S.L. 2013 (57 O.S. Supp. 2014, Section 332.18), which relates to medical parole; modifying condition and revocation of parole; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 2011, Section 332.18, as amended by Section 4, Chapter 124, O.S.L. 2013 (57 O.S. Supp. 2014, Section 332.18), is amended to read as follows:

Section 332.18. A. The Director of the Department of Corrections shall have the authority to request the Executive Director of the Pardon and Parole Board to place an inmate on the Pardon and Parole Board docket for a medical reason, out of the normal processing procedures. Documentation of the medical condition of such inmate shall be certified by the medical director of the Department of Corrections. The Pardon and Parole Board shall have the authority to bring any such inmate before the Board at any time, except as otherwise provided in subsection B of this section.

B. When a request is made for a medical parole review of an inmate who is dying or is near death as certified by the medical director of the Department of Corrections or whose medical condition has rendered the inmate no longer ~~a~~ an unreasonable threat to public safety, the Executive Director shall place such inmate on the first available parole review docket for a compassionate parole consideration. Inmates who meet the criteria set out in this section are not subject to the two-stage hearing process in subsection C of Section 332.7 of this title.

C. No person shall be eligible for consideration for medical parole without the concurrence of at least three members of the Pardon and Parole Board. The vote on whether or not to consider such person for parole and the names of the concurring Board members shall be set forth in the written minutes of the meeting of the Board at which the issue is considered.

D. In the event that due to changes in the medical condition of the parolee granted medical parole or for other reasons, it is determined that the continuation of the medical parole presents an increased risk to the public, the parolee shall be subject to parole revocation. In such case, the Department of Corrections shall follow the revocation procedure for violators of parole set forth in Section 516 of this title.

E. The provisions of this section shall not apply to inmates serving a sentence of life without possibility of parole.

SECTION 2. This act shall become effective November 1, 2015.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
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