

1 STATE OF OKLAHOMA

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

3 SENATE BILL 38

By: Shaw

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6 AS INTRODUCED

7 An Act relating to crime and punishment; amending 57
8 O.S. 2011, Section 332.18, as amended by Section 4,
9 Chapter 124, O.S.L. 2013 (57 O.S. Supp. 2014, Section
10 332.18), which relates to medical parole; modifying
11 condition and revocation of parole; and providing an
12 effective date.

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

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

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

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

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

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

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

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

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