

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1109 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Greg Babinec

Adopted: _____

Reading Clerk

1 PROPOSED COMMITTEE
2 SUBSTITUTE
3 FOR ENGROSSED
4 SENATE BILL NO. 1109

By: Fry of the Senate

and

Babinec of the House

5
6
7 An Act relating to prisons and reformatories;
8 amending 57 O.S. 2011, Section 530.1, as amended by
9 Section 2, Chapter 388, O.S.L. 2017 (57 O.S. Supp.
10 2017, Section 530.1), which relates to the Oklahoma
11 Inmate Literacy Act; providing that certain records
12 may be kept confidential; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 57 O.S. 2011, Section 530.1, as
16 amended by Section 2, Chapter 388, O.S.L. 2017 (57 O.S. Supp. 2017,
17 Section 530.1), is amended to read as follows:

18 Section 530.1. A. The Department of Corrections, by the rules
19 of that Department, shall have the following duties which shall be
20 performed as part of the assessment and reception process of the
21 Department of Corrections, upon reception of each inmate:

22 1. To administer, or cause to be administered, physical and
23 psychological examination of all inmates, including any requirement
24 to collect biological samples for DNA testing pursuant to Section

1 991a of Title 22 of the Oklahoma Statutes and Section 150.27a of
2 Title 74 of the Oklahoma Statutes, or other provision of law;

3 2. To identify the vocational-technical skills of all inmates.
4 The information shall be noted on and made a part of the record for
5 each inmate;

6 3. To assess the educational and training needs of all inmates
7 and recommend for placement any inmate with an educational need as
8 established in Section 510.7 of this title;

9 4. To determine from available records and interviews, the
10 place of birth of new inmates. The Department of Corrections shall
11 furnish a list of foreign-born nationals and suspected foreign-born
12 nationals to the Immigration and Naturalization Service on a weekly
13 basis;

14 5. To determine initial security and custody classifications;

15 6. To determine and recommend for placement in an alcohol or
16 substance abuse treatment facility or program, as provided for in
17 this section, any inmate in need of alcohol or substance abuse
18 treatment;

19 7. To determine and recommend for placement in the Department
20 of Corrections Mental Health Unit any inmate who is in need of acute
21 psychiatric care;

22 8. To plan for immediate assignments to institutions, community
23 treatment centers, alcohol or substance abuse treatment centers or
24

1 programs, alternatives to incarceration authorized by law, or other
2 facilities, public or private, designated by the Department;

3 9. To recommend possible future assignments to institutions,
4 community treatment centers, alcohol or substance abuse treatment
5 centers or programs, alternatives to incarceration authorized by
6 law, or other facilities designated by the Department;

7 10. To provide orientation and instruction with respect to
8 rules and procedures for prisoners;

9 11. To obtain all relevant juvenile court records and relevant
10 Department of Juvenile Justice agency records, if any, pertaining to
11 inmates and make the records a part of the permanent record
12 maintained by the Department of Corrections regarding the inmate.
13 The information contained in those records shall be used to
14 determine security level and placement of inmates; and

15 12. To administer a risk and needs assessment on each inmate
16 and develop an individualized case plan based on the results of the
17 assessment to guide an inmate's rehabilitation while in the
18 Department's custody in order to reduce the likelihood of
19 recidivism.

20 B. An alcohol or substance abuse treatment center in which an
21 inmate is placed shall provide services and standards of treatment
22 as provided by the Department of Mental Health and Substance Abuse
23 Services under its rules for alcoholism or substance abuse
24 treatment. Upon placement of a prisoner in a center for alcoholism

1 or substance abuse treatment, the Department of Corrections shall
2 enter into a third party contract with such center for the custodial
3 and professional services rendered to any prisoner. Such contract
4 may include requirements imposed by law on the Department of
5 Corrections or reimbursement for such services, if necessary. The
6 Department of Corrections is further authorized to enter into third
7 party contracts for substance abuse treatment programs which are
8 certified by the Department of Mental Health and Substance Abuse
9 Services to provide professional services on an outpatient basis to
10 prisoners in need of substance abuse treatment and follow-up
11 treatment while assigned to alternatives to incarceration.

12 C. The Department of Juvenile Justice shall allow reasonable
13 access to its database for the purpose of obtaining the juvenile
14 records required by subsection A of this section.

15 D. The Department may keep personal records of inmates,
16 inmates' family members, victims and visitors confidential.
17 Additional records that may be kept confidential include:

- 18 1. Presentence investigation reports;
- 19 2. License plate number, birthdate, driver license number,
20 address and phone number;
- 21 3. Any information that would identify minors under the age of
22 eighteen (18) years who are not inmates of the Department of
23 Corrections;
- 24 4. Personal banking and financial information;

1 5. Program, education and treatment records; and

2 6. Any other records where disclosure would constitute a
3 clearly unwarranted invasion of personal privacy.

4 E. The Department of Corrections shall ~~adopt~~ promulgate rules
5 governing the implementation of this section.

6 SECTION 2. This act shall become effective November 1, 2018.

7
8 56-2-10240 JBH 03/22/18