

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 1338

By: Cleveland

COMMITTEE SUBSTITUTE

An Act relating to prisons and reformatories;
amending 57 O.S. 2011, Section 332.18, as last
amended by Section 1, Chapter 42, O.S.L. 2015 (57
O.S. Supp. 2016, Section 332.18), which relates to
medical paroles; allowing certain inmates to request
medical parole review; 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
last amended by Section 1, Chapter 42, O.S.L. 2015 (57 O.S. Supp.
2016, 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

1 of the Department of Corrections. The Pardon and Parole Board shall
2 have the authority to bring any such inmate before the Board at any
3 time, except as otherwise provided in subsection B of this section.

4 B. When a request is made for a medical parole review of an
5 inmate ~~who~~:

6 1. Who is dying or is near death as certified by the medical
7 director of the Department of Corrections ~~or whose~~;

8 2. Whose medical condition has rendered the inmate no longer an
9 unreasonable threat to public safety; or

10 3. Who is:

11 a. fifty (50) years of age or older,

12 b. medically frail, and

13 c. serving time for a nonviolent offense,

14 the Executive Director shall place such inmate on the first
15 available parole review docket for a compassionate parole
16 consideration. Inmates who meet the criteria set out in this
17 section are not subject to the two-stage hearing process in
18 subsection C of Section 332.7 of this title.

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

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

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

10 SECTION 2. This act shall become effective November 1, 2017.

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