

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED

SENATE BILL 1098

By: Treat and Allen of the
Senate

and

Worthen of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to classification of felony crimes;
creating the Criminal Justice Reclassification
Coordination Council; stating duties of the Council;
providing for membership of the Council; providing
for election of a chair and other officers; directing
chair of Council to call meetings; authorizing
Council to meet as often as is required; requiring
quorum to approve actions and recommendations;
stating what constitutes a quorum; requiring meetings
be subject to the Oklahoma Open Meetings Act;
providing for travel reimbursement; directing Office
of the Attorney General to provide administrative
support; requiring Council to submit certain annual
report to the Governor and Legislature; providing for
codification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1701 of Title 22, unless there
is created a duplication in numbering, reads as follows:

1 A. There is hereby created the Criminal Justice
2 Reclassification Coordination Council, hereinafter referred to as
3 the "Council". The Council shall review and recommend the
4 following:

5 1. The classification of all felonies under Oklahoma law into
6 appropriate categories;

7 2. Appropriate sentence lengths for each class of felonies;

8 3. Appropriate enhanced sentences for crimes committed after
9 offenders have been convicted of other crimes; and

10 4. Other appropriate changes that will improve the criminal
11 justice system in Oklahoma and ensure the public safety of its
12 citizens.

13 The recommendations of the Council shall be intended to reduce
14 or hold neutral the prison population. The Council shall consider
15 fiscal impact statements of all recommendations of the Council.

16 B. The Council shall be comprised of twenty-two (22) members to
17 be selected as follows:

18 1. The Attorney General for the State of Oklahoma, or designee;

19 2. A district attorney for a county or district with a
20 population of five hundred thousand (500,000) or more as determined
21 by the latest Federal Decennial Census, to be selected by the
22 Oklahoma District Attorneys Council, or designee;

23 3. A district attorney for a county or district with a
24 population of five hundred thousand (500,000) or less as determined

1 by the latest Federal Decennial Census, to be selected by the
2 Oklahoma District Attorneys Council, or designee;

3 4. A chief of police of a municipality with a population of
4 three hundred fifty thousand (350,000) or more as determined by the
5 latest Federal Decennial Census, to be selected by the Oklahoma
6 Association of Chiefs of Police, or designee;

7 5. A chief of police of a municipality with a population of
8 three hundred fifty thousand (350,000) or less as determined by the
9 latest Federal Decennial Census, to be selected by the Oklahoma
10 Association of Chiefs of Police, or designee;

11 6. A sheriff of a county with a population of fifty thousand
12 (50,000) or more as determined by the latest Federal Decennial
13 Census, to be selected by the Oklahoma Sheriffs' Association, or
14 designee;

15 7. A sheriff of a county with a population of fifty thousand
16 (50,000) or less as determined by the latest Federal Decennial
17 Census, to be selected by the Oklahoma Sheriffs' Association, or
18 designee;

19 8. The Director of the Oklahoma Department of Corrections, or
20 designee;

21 9. A public defender of a county with a population of three
22 hundred fifty thousand (350,000) or more as determined by the latest
23 Federal Decennial Census, to be selected by the Administrative
24 Director of the Courts, or designee;

- 1 10. The Executive Director of the Oklahoma Indigent Defense
2 System, or designee;
- 3 11. The Commissioner of the Oklahoma Department of Mental
4 Health and Substance Abuse Services, or designee;
- 5 12. The Director of the Oklahoma State Bureau of Investigation,
6 or designee;
- 7 13. The Director of the Oklahoma State Bureau of Narcotics and
8 Dangerous Drugs Control, or designee;
- 9 14. The Administrative Director of the Courts, or designee;
- 10 15. The Executive Director of the Oklahoma Pardon and Parole
11 Board, or designee;
- 12 16. The Director of the Oklahoma Coalition on Domestic Violence
13 and Sexual Assault, or designee;
- 14 17. The president of the State Chamber of Commerce, or
15 designee;
- 16 18. The president of a local chamber of commerce, to be
17 appointed by the Governor, or designee;
- 18 19. The Governor of the State of Oklahoma, or designee;
- 19 20. The President Pro Tempore of the Oklahoma State Senate, or
20 designee;
- 21 21. The Speaker of the Oklahoma House of Representatives, or
22 designee; and
- 23 22. A retired district judge, as selected by the Presiding
24 Judge of the Court of Criminal Appeals, or designee.

1 C. The chair of the Council shall be elected by majority vote
2 of the Council members attending the initial meeting. The Council
3 shall elect any other officers during the first meeting and upon a
4 vacancy in any office.

5 D. The chair shall call the first meeting and all subsequent
6 meetings shall be made at the call of the chair. The Council may
7 meet as often as may be required in order to perform the duties
8 imposed upon it.

9 E. A quorum of the Council shall be required to approve any
10 final action and recommendation of the Council. For purposes of
11 this section, eleven members of the Council shall constitute a
12 quorum.

13 F. The meetings of the Council shall be subject to the Oklahoma
14 Open Meetings Act.

15 G. The members of the Council shall receive no compensation,
16 but travel reimbursement may be provided by their respective
17 organizations within the limits provided for state employees in the
18 Oklahoma State Travel Reimbursement Act.

19 H. Administrative support for the Council shall be provided by
20 the Office of the Attorney General.

21 I. The Council shall submit a report of its findings and
22 recommendations annually by December 31, 2018, and the same day each
23 year thereafter to the Governor, the President Pro Tempore of the
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1 Oklahoma State Senate and the Speaker of the Oklahoma House of
2 Representatives.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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