

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 2543

By: West (Rick)

AS INTRODUCED

An Act relating to criminal procedure; defining term; authorizing use of certain chemical treatment for offenders who commit sexually violent offenses; providing an exception; directing Department of Corrections to promulgate and adopt certain rules; providing for codification; and providing an effective date.

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 991a-4.2 of Title 22, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, a "sexually violent offense" means:

1. Rape, pursuant to Section 1114 of Title 21 of the Oklahoma Statutes;

2. Rape by instrumentation, pursuant to Section 1111.1 of Title 21 of the Oklahoma Statutes;

3. Lewd, indecent proposals or acts against a child under sixteen (16) years of age, pursuant to Section 1123 of Title 21 of the Oklahoma Statutes;

1 4. Solicitation of a minor, pursuant to subsection B of Section
2 1021 of Title 21 of the Oklahoma Statutes;

3 5. Procuring a minor to participate in pornography, pursuant to
4 Sections 1021.2 and 1021.3 of Title 21 of the Oklahoma Statutes; and

5 6. Forcible sodomy, pursuant to Section 888 of Title 21 of the
6 Oklahoma Statutes.

7 B. A person who has been convicted of a sexually violent
8 offense may, upon a first conviction and in addition to any other
9 punishment provided by law, be required to undergo
10 medroxyprogesterone acetate treatment as part of any conditions of
11 release. The treatment prescribed in this section may utilize an
12 approved pharmaceutical agent other than medroxyprogesterone
13 acetate. Upon a second or subsequent conviction of a sexually
14 violent offense, the person shall be required to undergo
15 medroxyprogesterone acetate or other approved pharmaceutical agent
16 treatment as a condition of release unless, after an appropriate
17 assessment, the court determines that the treatment would not be
18 effective. This section shall not apply if the person voluntarily
19 undergoes a permanent surgical alternative approved by the court.

20 C. The Department of Corrections shall promulgate and adopt
21 rules which provide for the initiation of medroxyprogesterone
22 acetate or other approved pharmaceutical agent treatment prior to
23 the parole or release of a person who has been convicted of a
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1 sexually violent offense and who is required to undergo treatment as
2 a condition of release.

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

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