

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3017

By: Crosswhite Hader

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to prisons and reformatories;
10 amending 57 O.S. 2011, Section 400, as amended by
11 Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp.
12 2019, Section 400), which relates to inmates in need
13 of psychiatric care; deleting requirement for certain
14 entity to provide a psychiatrist to the Department of
15 Corrections; and providing an effective date.

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

17 SECTION 1. AMENDATORY 57 O.S. 2011, Section 400, as
18 amended by Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp. 2019,
19 Section 400), is amended to read as follows:

20 Section 400. ~~A.~~ The Department of Corrections is hereby
21 authorized to establish units at one or more institutions for the
22 care and treatment of inmates who are or become in need of acute
23 psychiatric care. The Department shall have the following powers
24 and duties in the operation thereof:

1 1. The Department shall establish procedures to outline means
2 of identification of inmates who are or become in need of acute
3 psychiatric care and for assignment of such inmates to the units
4 described in this subsection. Prior to assignment there shall be a
5 due process hearing conducted by the Department of Corrections to
6 determine whether the inmate is in need of acute psychiatric care.
7 The inmate shall be entitled to have a staff representative
8 appointed to represent ~~him or her~~ the inmate, if he or she so
9 requests, but shall not have an attorney appointed or paid by the
10 Department to represent ~~him or her~~ the inmate at the administrative
11 hearing; and

12 2. Once an inmate has been assigned to a unit described in this
13 subsection, treatment and medication may be administered to the
14 inmate as provided in Section 5-204 of Title 43A of the Oklahoma
15 Statutes.

16 ~~B. The Carl Albert Mental Health and Substance Abuse Services~~
17 ~~Center shall provide to the Department of Corrections a psychiatrist~~
18 ~~as needed to assist in a unit described in subsection A of this~~
19 ~~section.~~

20 SECTION 2. This act shall become effective November 1, 2020.

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22 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/20/2020 -
23 DO PASS, As Amended.