

An Act

ENROLLED HOUSE
BILL NO. 1753

By: Crosswhite Hader of the
House

and

Haste of the Senate

An Act relating to prisons and reformatories;
amending 57 O.S. 2011, Section 400, as amended by
Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp.
2020, Section 400), which relates to inmates in need
of psychiatric care; deleting directive to certain
entity; and providing an effective date.

SUBJECT: Prisons and reformatories

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

SECTION 1. AMENDATORY 57 O.S. 2011, Section 400, as
amended by Section 2, Chapter 41, O.S.L. 2019 (57 O.S. Supp. 2020,
Section 400), is amended to read as follows:

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

1. The Department shall establish procedures to outline means
of identification of inmates who are or become in need of acute
psychiatric care and for assignment of such inmates to the units
described in this subsection. Prior to assignment there shall be a
due process hearing conducted by the Department of Corrections to
determine whether the inmate is in need of acute psychiatric care.
The inmate shall be entitled to have a staff representative
appointed to represent ~~him or her~~ the inmate, if he or she so

requests, but shall not have an attorney appointed or paid by the Department to represent ~~him or her~~ the inmate at the administrative hearing; and

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

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

SECTION 2. This act shall become effective November 1, 2021.

Passed the House of Representatives the 2nd day of March, 2021.

Presiding Officer of the House
of Representatives

Passed the Senate the 15th day of April, 2021.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____