1	SENATE FLOOR VERSION  March 28, 2022
2	11d1 C11 20 / 2022
3	ENGROSSED HOUSE
4	BILL NO. 3087 By: Hilbert of the House
5	and
6	Leewright of the Senate
7	
8	An Act relating to county jails; amending 21 0.S.
	2021, Section 533, which relates to officer refusal
9	to receive prisoners; modifying exceptions; and providing an effective date.
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12	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
13	SECTION 1. AMENDATORY 21 O.S. 2021, Section 533, is
14	amended to read as follows:
15	Section 533. A. Except as provided in this section and Section
16	979a of Title 22 of the Oklahoma Statutes, for emergency medical
17	treatment for an injury or condition that threatens life or
18	threatens the loss or use of a limb or where authorized personnel of
19	the jail have deemed a person medically unfit to be received into
20	custody, any peace officer or jail or prison contractor who, in
21	violation of a duty imposed upon the officer or contractor by law or
22	by contract to receive into custody any person as a prisoner,
23	willfully neglects or refuses so to receive such person into custody
24	is guilty of a misdemeanor.

- B. Except as provided in this section and Section 979a of Title 22 of the Oklahoma Statutes, for emergency medical treatment for an injury or condition that threatens life or threatens the loss or use of a limb or where authorized personnel of the jail have deemed a person medically unfit to be received into custody, any peace officer or jail or prison contractor who, in violation of a duty imposed upon the officer or contractor by law or by contract to fingerprint any person received into custody as a prisoner, willfully neglects or refuses so to fingerprint such person is guilty of a misdemeanor.
- C. Any person coming into contact with a peace officer prior to being actually received into custody at a jail facility or holding facility, including, but not limited to, during the time of any arrest, detention, transportation, investigation of any incident, accident or crime, who needs emergency medical treatment for an injury or condition that threatens life or threatens the loss or use of a limb, shall be taken directly to a medical facility or hospital for such emergency medical care notwithstanding any duty imposed pursuant to this section or any other provision of law to first take such person into custody or to fingerprint such person. The responsibility for payment of such emergency medical costs shall be the sole responsibility of the person coming into the officer's contact and shall not be the responsibility of any jail, law enforcement agency, jail or prison contractor, sheriff, peace

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officer, municipality or county, except when the condition is a
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    direct result of injury caused by such officer acting outside the
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    scope of lawful authority.
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        SECTION 2. This act shall become effective November 1, 2022.
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    COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
    March 28, 2022 - DO PASS
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