

1 ENGROSSED HOUSE
2 BILL NO. 3757

By: Hardin of the House

and

Weaver of the Senate

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5
6 An Act relating to jail standards; amending 74 O.S.
7 2021, Section 192, as amended by Section 2, Chapter
8 35, O.S.L. 2023 (74 O.S. Supp. 2023, Section 192),
9 which relates to the inspection of city and county
10 jails; creating the Oklahoma Jail Standards Act;
11 authorizing the State Department of Health to
12 promulgate rules to implement jail standards;
13 directing all detention and lockup facilities to
14 comply with standards; clarifying jail inspection
15 requirement; deleting certain jail standards and
16 procedures; making jail standards subject to certain
17 exceptions and limitations; defining terms; providing
18 list of standards when facilities develop policies
19 and procedures; specifying standards for detention
20 facilities; directing facility administrators to
21 develop and implement certain written policies and
22 procedures for detention facilities and lockup
23 facilities; directing detention facilities to have
24 certain written policies and procedures subject to
certain act and promulgate rules; requiring
notification to the State Department of Health of
certain incidents; providing guidelines and
procedures for the movement, security, and
supervision of inmates; directing facility
administrators to develop and implement written
policies and procedures for classifying and
segregating inmates; directing facility
administrators to develop and implement written
policies and procedures for emergency medical and
health care services; providing for the utilization
of certain medical personnel; authorizing the
deduction of monies for medical payments; specifying
standards for the incarceration or holding of
juveniles; amending 57 O.S. 2021, Section 37, which
relates to maximum capacity of correctional
facilities; modifying statutory references; amending
57 O.S. 2021, Sections 47, 52, 53, 55 and 57, as

1 amended by Section 1, Chapter 35, O.S.L. 2023 (57
2 O.S. Supp. 2023, Section 57), which relate to the
3 operation of county jails by county sheriffs;
4 modifying statutory references; amending 63 O.S.
5 2021, Section 472, which relates to conditions of
6 municipal jails; modifying statutory reference;
7 amending 69 O.S. 2021, Section 617, which relates to
8 the food and medical attention for inmates working
9 upon public roads; modifying statutory reference;
10 amending 74 O.S. 2021, Section 193, which relates to
11 inspections of jail premises by the State Department
12 of Health; modifying statutory reference; providing
13 for codification; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 74 O.S. 2021, Section 192, as
16 amended by Section 2, Chapter 35, O.S.L. 2023 (74 O.S. Supp. 2023,
17 Section 192), is amended to read as follows:

18 Section 192. A. The provisions of this section and Sections 2
19 through 9 of this act shall be known and may be cited as the
20 "Oklahoma Jail Standards Act". The State Department of Health is
21 hereby authorized to promulgate rules to implement the provisions of
22 the Oklahoma Jail Standards Act.

23 B. Except as provided in this section, all detention facilities
24 and lockup facilities shall operate in compliance with the provision
25 of the Oklahoma Jail Standards Act.

26 C. The State Department of Health shall inspect at least once
27 each year all city and county jails detention facilities to ensure
28 compliance with the standards promulgated pursuant to the provisions

1 ~~of this section set forth in the Oklahoma Jail Standards Act. The~~
2 ~~standards shall provide provision for:~~

- 3 ~~1. Uniform admission and release procedures;~~
- 4 ~~2. Uniform, safe, and sensible security measures;~~
- 5 ~~3. Proper, fit, and sanitary conditions;~~
- 6 ~~4. Inmates to be fed a wholesome and adequate diet;~~
- 7 ~~5. Inmates to have adequate clothing and a usable bed. Such~~
8 ~~facility shall have showers with hot and cold running water,~~
9 ~~toilets, and water basins provided in the ratio of not less than one~~
10 ~~to every twenty prisoners. Counties may build barrack-style jails,~~
11 ~~single or double cell, to meet the security needs of the county for~~
12 ~~minimum security prisoners. These jails shall meet all the minimum~~
13 ~~requirements set forth in this section or any other provision of~~
14 ~~law. Except as otherwise provided in this section, all facilities~~
15 ~~under this section shall have showers with hot and cold running~~
16 ~~water, toilets and water basins provided in the ratio of not less~~
17 ~~than one to every twenty prisoners. Counties may also build tent~~
18 ~~jails, which shall be temporary in nature, to meet the security~~
19 ~~needs of the county for minimum security prisoners. The temporary~~
20 ~~tent jails shall not be required to meet the minimum requirements~~
21 ~~set forth in this section or any other provision of law. The State~~
22 ~~Board of Health shall promulgate minimum standards for temporary~~
23 ~~tent jails, which standards shall be designed to specifically~~
24 ~~address and take into consideration the temporary status of the~~

1 ~~inmate housing needs of the county. As used in this paragraph,~~
2 ~~"barrack style" means a single designated space within a city or~~
3 ~~county jail facility for the purpose of housing three or more~~
4 ~~inmates;~~

5 ~~6. Inmates to be properly advised of rules of the facility in~~
6 ~~which they are detained;~~

7 ~~7. Staff members to receive training in order to assist them in~~
8 ~~performing their assigned tasks, such training to be provided~~
9 ~~through a program approved by the State Department of Health. All~~
10 ~~employees who work in direct contact with inmates after the first~~
11 ~~year of employment shall receive, at a minimum, four (4) hours'~~
12 ~~review of material as required by the State Department of Health and~~
13 ~~at a maximum, eight (8) hours of detention officer training per year~~
14 ~~after the first year of employment;~~

15 ~~8. Proper steps to be taken to ensure the safety and~~
16 ~~segregation of women, the infirm, and minors;~~

17 ~~9. Adequate medical care, provided such medical care shall be~~
18 ~~limited to illnesses or injuries incurred during the time beginning~~
19 ~~with the arrest and throughout the time of incarceration. This~~
20 ~~shall not prevent an inmate from applying for assistance and~~
21 ~~receiving assistance, provided the inmate meets or exceeds~~
22 ~~established requirements;~~

23 ~~10. No person to be confined without twenty-four-hour~~
24 ~~supervision; and~~

1 ~~11. At least one designated exit in the facility that will~~
2 ~~permit prompt evacuation of inmates and staff in an emergency. A~~
3 ~~facility in existence on November 1, 1985, shall not be required to~~
4 ~~construct additional exits if it has one exit which is deemed~~
5 ~~adequate by the State Fire Marshal Inspections shall be limited to~~
6 ~~the specific requirements set forth in the Oklahoma Jail Standards~~
7 ~~Act or rules promulgated pursuant thereto.~~

8 D. In the event such inspection shall reveal to the State
9 Department ~~of Health~~ the commission of a crime or crimes incidental
10 to the operations of a ~~city or county jail~~ detention facility, it
11 shall be the duty of the Department to initiate a complaint with the
12 appropriate district attorney, and to cooperate in the prosecution
13 of the alleged offender in the event an information is filed
14 pursuant to such complaint.

15 ~~B.~~ E. The provisions of the Oklahoma Jail Standards Act shall
16 be subject to the following exceptions and limitations:

17 1. Any county, city, or town may operate a holding facility for
18 the incarceration of persons under arrest who are to be charged with
19 a crime, which holding facility shall not be required to meet the
20 standards established in ~~this section for jails~~ the Oklahoma Jail
21 Standards Act, as long as no person is held therein for a period
22 longer than twelve (12) hours and as long as an employee of the
23 county, city, or town is available to render aid to or to release
24

1 any person so confined in the event aid or release is required
2 because of a health or life-endangering emergency-;

3 ~~C.~~ 2. Notwithstanding any other provision of law or rule, any
4 county or municipality that operates a ~~jail~~ detention facility which
5 houses forty or fewer prisoners at all times which:

6 ~~1.~~ Provides

7 a. provides twenty-four-hour supervision of prisoner
8 activity that is conducted either by direct
9 observation or electronically by ~~closed-circuit~~
10 ~~television;~~ video surveillance, and

11 ~~2.~~ Provides

12 b. provides an intercommunication system that terminates
13 in a location that is staffed twenty-four (24) hours a
14 day and is capable of providing an emergency response,
15 shall not be required to have more than one detention officer or
16 ~~dispatcher~~ on-site to provide for the security, custody, and
17 supervision of prisoners. Staff shall be available to perform
18 sensitive functions and procedures as necessary to accommodate
19 inmate gender;

20 ~~D.~~ 3. Any county or municipality that operates a ~~jail~~ detention
21 facility which houses more than forty and less than seventy-five
22 prisoners at all times which:

23 ~~1.~~ Provides

24

1 a. provides twenty-four-hour supervision of prisoner
2 activity that is conducted either by direct
3 observation or electronically by ~~closed-circuit~~
4 ~~television,~~ video surveillance, and

5 2. ~~Provides~~

6 b. provides an intercommunication system that terminates
7 in a location that is staffed twenty-four (24) hours a
8 day and is capable of providing an emergency response,
9 shall be required to have more than one detention officer or one
10 detention officer and at least one other basic CLEET-certified
11 person on the same premises as the ~~jail~~ detention facility to
12 provide for the security, custody, and supervision of prisoners.
13 Staff shall be available to perform sensitive functions and
14 procedures as necessary to accommodate inmate gender;

15 ~~Within ninety (90) days after June 9, 1994, the State Board of~~
16 ~~Health shall promulgate new rules governing square footage~~
17 ~~requirements, double-celling of prisoners and the ratio of showers,~~
18 ~~toilets, and water basins to prisoners. The rules so promulgated~~
19 ~~shall be governed by the guidelines enumerated in this section, and~~
20 ~~shall be designed to carry out the intent and purpose of the~~
21 ~~guidelines. Each city or county jail facility in this state shall~~
22 ~~be in compliance with the rules so promulgated on or before January~~
23 ~~1, 1995.~~

1 E. 4. A county, municipality, or public trust that operates a
2 detention facility may request a waiver, including a waiver for a
3 temporary emergency resulting from a natural or man-made disaster,
4 from provisions of the Oklahoma Jail Standards Act or rules
5 promulgated pursuant thereto upon a showing that application of such
6 provision would impose undue hardship upon the county,
7 municipality, or public trust, or upon the inmates held at such
8 facility. All requests shall be filed with the Department and shall
9 include justification demonstrating the undue hardship. The waiver
10 application shall also include a plan for the housing and care of
11 detention facility inmates for the duration of the waiver and
12 identification of all specific provisions of the Oklahoma Jail
13 Standards Act requesting to be waived. The Department may grant the
14 waiver request in whole or in part and may, as a condition of
15 granting the waiver, require the county, municipality, or public
16 trust to submit a plan and timetable for compliance with the
17 standards. The Department shall promulgate rules and establish
18 procedures necessary to implement the waiver process established by
19 this paragraph; and

20 5. Any detention facility constructed or substantially
21 remodeled prior to or on or after the effective date of this act
22 shall be required to be in compliance with the requirements and
23 standards in effect at the time of such construction or remodeling.
24 Plans for the construction of a new detention facility or the

1 substantial remodeling of an existing detention facility shall be
2 submitted to the Department for review and approval.

3 F. The ~~State~~ Department ~~of Health~~ shall employ inspectors and
4 other personnel as necessary and specifically authorized by the
5 Legislature in order to carry out the provisions of ~~this section~~ the
6 Oklahoma Jail Standards Act and may rent or purchase premises or
7 equipment in order to assist inspectors in the performance of their
8 functions.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 192.1 of Title 74, unless there
11 is created a duplication in numbering, reads as follows:

12 As used in the Oklahoma Jail Standards Act:

13 1. "Available" means that the subject individual is either on
14 site or on the premises;

15 2. "Barrack-style" means a single designated space within a
16 detention facility for the purpose of housing three or more inmates;

17 3. "Bodily search" means any invasive examination by hand of an
18 inmate or clothing of the inmate. Bodily searches shall not include
19 "pat downs";

20 4. "Central control" means the central point within the
21 facility where security activities are monitored and controlled;

22 5. "Contraband" means anything not authorized to be in the
23 possession of an inmate;

24

1 6. "Dayroom" means a space for activities that is situated
2 immediately adjacent to the sleeping area of inmates and separated
3 from the sleeping area by a wall;

4 7. "Department" means the Oklahoma State Department of Health;

5 8. "Detention facility" means a facility that may hold a person
6 for an indefinite period of time including, but not limited to, a
7 city or county jail;

8 9. "Detention officer" means a person whose training, education
9 or experience specifically qualifies him or her to perform the
10 duties indicated in the job description and the Oklahoma Jail
11 Standards Act, or a person who holds a certification accorded
12 pursuant to the provisions of Section 3311 of Title 70 of the
13 Oklahoma Statutes. The individual performing the duties must be
14 trained in appropriate laws, codes, standards, policies, and
15 procedures;

16 10. "Direct supervision" means the detention officer is in
17 direct contact with inmates and is in a position to constantly
18 monitor behaviors and interact with inmates;

19 11. "Emergency care" means medical or surgical care necessary
20 to treat the sudden onset of a potentially life- or limb-threatening
21 condition or limb-threatening condition;

22 12. "Facility administrator" means a sheriff, police chief,
23 city manager, private contractor, or a designee thereof, charged
24

1 with maintaining and operating a lockup facility or detention
2 facility;

3 13. "Fixed sleeping surface" refers to a stationary or
4 installed bed or slab designed to support a mattress or some other
5 comparable padding on which an inmate can lie down off of the floor;

6 14. "Grievance" means a circumstance or action considered
7 unjust;

8 15. "Holding facility" means a facility that shall hold persons
9 under arrest who are charged with a crime for a period of no longer
10 than twelve (12) hours;

11 16. "Hot meal" means a measure of food served and eaten at one
12 sitting prepared and served at a palatable temperature range of one
13 hundred ten (110) to one hundred twenty (120) degrees Fahrenheit;

14 17. "Inmate" means any individual, whether in pretrial,
15 sentenced, or unsentenced status who is confined in a detention
16 facility;

17 18. "Juvenile" means a person who is subject solely to the
18 jurisdiction of a juvenile court or who is subject to the provisions
19 of Section 2-5-205 of Title 10A of the Oklahoma Statutes, or
20 relating to classification as a youthful offender, as defined in
21 Section 2-5-202 of Title 10A of the Oklahoma Statutes;

22 19. "Last locked/secure door" means the last secure barrier
23 between staff and the inmate;

24

1 20. "Life-endangering situation" includes, but is not limited
2 to, a suicide attempt, or obvious serious injury or illness, which
3 in the evaluation of the staff requires an immediate response;

4 21. "Life-threatening" means a situation in which life-saving
5 measures are taken;

6 22. "Living area" means those areas of a detention facility
7 utilized for the day-to-day housing and activities of inmates.
8 These areas do not include reception and release areas and special
9 use cells such as sobering, safety, and holding or staging cells
10 normally located in receiving areas;

11 23. "Lockup facility" means a facility that may hold a person
12 no longer than ten (10) days. Such a facility may be operated by a
13 municipality for the temporary detention of persons awaiting
14 arraignment. Persons who require detention for a period longer than
15 ten (10) days shall be transferred to a detention facility;

16 24. "Non-secure areas" means those areas where a youth or
17 juvenile is in the custody of law enforcement and may not be able to
18 leave or depart from the presence of law enforcement, yet the youth
19 or juvenile is not detained in a facility which limits movement;

20 25. "On site" means a detention officer being physically
21 present within the detention facility;

22 26. "On the premises" means a detention officer being
23 physically present within the structure incorporating the detention
24 facility, or within a building or structure sharing the same realty

1 or located on realty that is contiguous to the realty upon which the
2 structure incorporating the detention facility is located, provided
3 that such remote building or structure is not located farther than
4 five hundred (500) feet from the detention facility;

5 27. "Pat-down" means a noninvasive search of an inmate by hand
6 performed by lightly skimming the exterior surface of the clothing
7 covering the legs and torso;

8 28. "Physician or other licensed medical personnel" means a
9 psychiatrist, medical doctor, osteopathic physician, physician's
10 assistant, registered nurse, licensed practical nurse, emergency
11 medical technician at the paramedic level or clinical nurse
12 specialist;

13 29. "Sensitive functions and procedures" means any bodily
14 search or the visual supervision of any activity requiring an inmate
15 to partially or fully disrobe;

16 30. "Safety check" means direct, visual observation performed
17 at random intervals within timeframes prescribed in these
18 regulations to provide for the health and welfare of inmates;

19 31. "Sight contact" means clear visibility within close
20 proximity;

21 32. "Sound contact" means direct oral communication;

22 33. "Substantial remodeling" means the cost to repair or
23 replace is at least fifty percent (50%) of the cost to replace the
24 facility;

1 34. "Sustained contact" means sight or sound contact that is
2 not brief and inadvertent;

3 35. "Temporary sleeping surface" means any appropriate item
4 used in overcrowding situations on which an inmate can lie down and
5 be kept off of the floor on an interim basis. A fire-safe cot and
6 industry products such as those referred to as "boats" are examples
7 of suitable temporary sleeping surfaces that ensure the mattress
8 does not have direct contact with the floor. These items do not
9 meet the requirement to have a fixed sleeping surface for each
10 inmate;

11 36. "Waiver" is a long-term deviation from a standard in
12 extenuating circumstances which are not likely to be overcome in a
13 reasonable period of time; and

14 37. "Variance" is a temporary deviation from a standard in
15 extenuating circumstances which can be overcome in a reasonable
16 period of time.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 192.2 of Title 74, unless there
19 is created a duplication in numbering, reads as follows:

20 Where this act specifies that the facility shall develop
21 policies and procedures, the following standards shall apply:

22 1. A policy may include a procedure. A procedure may represent
23 policy; and

24

1 2. Policies or procedures developed based on requirements in
2 this act shall identify the following:

- 3 a. the rule or law addressed by the policy and procedure,
- 4 b. the staff position or personnel responsible for
5 implementation and oversight of the policy and
6 procedure,
- 7 c. the actions to be taken or procedures to be followed
8 by facility personnel. This shall be known as the
9 "who, what, where, and when" of the procedure,
- 10 d. the staff position or personnel responsible for
11 reviewing the policy and procedure,
- 12 e. a schedule for reviewing the policy that identifies
13 the frequency at which the policy and procedure will
14 be reviewed, and
- 15 f. a signature page to capture the signature and date
16 that the responsible official adopted the policy or
17 procedure and the dates that review of the policy or
18 procedure were completed.

19 SECTION 4. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 192.3 of Title 74, unless there
21 is created a duplication in numbering, reads as follows:

- 22 A. The standards for detention facilities shall provide for:
 - 23 1. Uniform admission and release procedures;
 - 24 2. Uniform, safe, and sensible security measures;

1 3. Proper, fit, and sanitary conditions;

2 4. Inmates to be fed a wholesome and adequate diet;

3 5. Inmates to have adequate clothing and a usable bed. Such
4 detention facilities shall have showers with hot and cold running
5 water, toilets, and water basins provided in the ratio of not less
6 than one to every twenty prisoners. Counties may build barrack-
7 style jails, single or double cell, to meet the security needs of
8 the county for minimum security prisoners. These jails shall meet
9 all the minimum requirements set forth in this section or any other
10 provision of law. Counties may also build tent jails, which shall
11 be temporary in nature, to meet the security needs of the county for
12 minimum security prisoners. The temporary tent jails shall not be
13 required to meet the minimum requirements set forth in this section
14 or any other provision of law. The State Board of Health shall
15 promulgate minimum standards for temporary tent jails, which
16 standards shall be designed to specifically address and take into
17 consideration the temporary status of the inmate housing needs of
18 the county;

19 6. Inmates to be properly advised of rules of the detention
20 facility in which they are detained;

21 7. Staff members to receive training in order to assist them in
22 performing their assigned tasks, such training to be provided
23 through a program approved by the State Department of Health;

1 8. All employees, including the detention facility
2 administrator and all supervisors, whose primary responsibilities
3 include supervision of inmates, shall receive at least twenty-four
4 (24) hours of training during the first year of their employment
5 that covers at least the following:

- 6 a. security procedures,
- 7 b. supervision of inmates,
- 8 c. report writing and documentation,
- 9 d. inmate rules and regulations,
- 10 e. grievance and disciplinary procedures,
- 11 f. rights and responsibilities of inmates,
- 12 g. emergency procedures, and
- 13 h. first aid and cardiopulmonary resuscitation;

14 9. All employees who work in direct contact with inmates after
15 the first year of employment shall receive, at a minimum, four (4)
16 hours of review of material as required by the State Department of
17 Health and at a maximum eight (8) hours of detention officer
18 training per year to include renewal training as required for first
19 aid and cardiopulmonary resuscitation skills after the first year of
20 employment;

21 10. A documentation log shall be maintained by the
22 Administrator to record the courses completed by each employee for
23 their initial and annual training and include test results;

24

1 11. Proper steps to be taken to ensure the safety and
2 segregation of women, the infirm, and minors;

3 12. Adequate medical care, provided such medical care shall be
4 limited to illnesses or injuries incurred during the time beginning
5 with the arrest and throughout the time of incarceration. This
6 shall not prevent an inmate from applying for assistance and
7 receiving assistance, provided the inmate meets or exceeds
8 established requirements;

9 13. No person to be confined without twenty-four-hour
10 supervision; and

11 14. At least one designated exit in the facility that will
12 permit prompt evacuation of inmates and staff in an emergency.

13 B. All cells and living areas shall have at least forty (40)
14 square feet of floor space for the initial inmate and at least
15 twenty (20) square feet of floor space for each additional inmate
16 occupying the same cell. Double-celling of inmates is permitted if
17 there is at least sixty (60) square feet of floor space for two
18 persons. Inmates may be provided temporary sleeping surfaces during
19 times of overcrowding.

20 C. The facility shall have at least one special purpose cell
21 to provide for the temporary detention of inmates under the
22 influence of alcohol or dangerous substances or for persons who are
23 uncontrollably violent or self-destructive. These cells shall be
24 designed to prevent injury.

1 D. The housing and activity areas shall provide, at least the
2 following:

- 3 1. Lighting of at least twenty-foot candles;
- 4 2. A shower with non-skid floors; and
- 5 3. Sufficient floor drains to ensure a sanitary facility.

6 E. There shall be designated and marked emergency evacuation
7 exits that comply with the requirements of the Oklahoma State Fire
8 Marshal and which permit prompt evacuation of inmates and staff in
9 an emergency.

10 F. A county may provide a dormitory-style detention facility to
11 accommodate up to medium-security inmates. It shall be equipped
12 with washbasins, toilets, and showers with hot and cold running
13 water at a ratio of at least one washbasin, one toilet, and one
14 shower to every twenty inmates. A dormitory-style detention
15 facility shall meet all requirements for a detention facility.

16 G. A county may provide a temporary tent detention facility
17 subject to the approval of the Department.

18 H. Inmates may be provided temporary sleeping surfaces during
19 times of overcrowding.

20 SECTION 5. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 192.4 of Title 74, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The local facility administrator shall develop and implement
24 written policies and procedures pertaining to the daily management

1 and operation of the detention facility including, but not limited
2 to, an operations manual sufficient to demonstrate compliance with
3 the standards set forth in the Oklahoma Jail Standards Act and rules
4 promulgated pursuant thereto.

5 B. The facility administrator shall develop and implement
6 written policies and procedures for the operation of a lockup
7 facility which shall include, but not be limited to, the following:

8 1. Arrest and commitment papers shall be verified;

9 2. An inmate shall be searched during admission;

10 3. Property of the inmate shall be inventoried and shall be
11 stored in a secure location;

12 4. Medical reception information shall be recorded in the file
13 of the inmate and shall include, but not be limited to, the
14 following information:

15 a. current illnesses and health problems,

16 b. behavioral observation, including state of
17 consciousness and mental status, history of alcohol or
18 drug abuse and treatment,

19 c. body deformities and trauma markings such as bruises,
20 lesions, jaundice, and ease of body movement,
21 d. condition of skin and visible body orifices, including
22 infestations,

23 e. medications taken and any special health requirements,
24

1 f. whether the inmate may be in need of mental health or
2 substance abuse services including, but not limited
3 to, whether the inmate is at risk for or has attempted
4 suicide, and

5 g. disposition or referral of the inmate to qualified
6 medical personnel on an emergency basis as provided in
7 Section 4.1 of Title 57 of the Oklahoma Statutes;

8 5. A first aid kit shall be available at locations designated
9 by the facility administrator;

10 6. Two completed, documented, local or collect telephone calls
11 shall be allowed at the time of booking or after a reasonable length
12 of time, as determined by the administrator or designee. The
13 administrator or designee shall document the refusal of an inmate to
14 make a telephone call. In facilities where inmates have unlimited
15 access to operational telephones, the refusal of an inmate to make
16 telephone calls is not required to be documented;

17 7. Clean bedding and personal hygiene items shall be available
18 and provided at the facility;

19 8. Shower facilities shall be available with hot and cold
20 running water at a ratio of at least one shower for every twenty
21 inmates;

22 9. Continual supervision shall be provided by a trained
23 employee;

1 10. Inmate counts shall be taken at the beginning of each shift
2 daily and recorded in the detention facility log. At least one of
3 the counts shall be a full lock-down count when all inmates are
4 required to be immobilized and visually inspected;

5 11. Hourly visual safety checks shall be conducted at no more
6 than sixty-minute intervals and on an irregular basis. Personnel
7 shall visually check all security features of the cell area and
8 account for all detainees. Visual safety checks may include video
9 surveillance provided that it has an unobstructed view of the entire
10 cell;

11 12. Male and female inmates shall be housed in separated living
12 areas with visual separation between the two genders. Housing of
13 inmates with mixed gender identification will be administered in a
14 manner to maximize inmate safety;

15 13. The detention facility shall comply with applicable
16 building and fire safety codes of the State Fire Marshall as
17 provided in Section 317 et seq. of Title 74 of the Oklahoma
18 Statutes;

19 14. Each inmate shall be provided at least three (3) meals each
20 twenty-four (24) hours that meet the national recommended allowance
21 for basic nutrition. At least two (2) hot meals shall be provided
22 daily. There shall not be more than fourteen (14) hours between the
23 breakfast and the evening meals;

24

1 15. The following minimum fire safety requirements shall be
2 implemented:

3 a. the facility shall be equipped with a smoke detection
4 system and a sprinkler system that is approved by the
5 State Fire Marshal,

6 b. polyurethane foam mattresses, pads and pillows are
7 prohibited. Mattresses that are in compliance with
8 the requirements of the State Fire Marshall shall be
9 used,

10 c. each facility shall have emergency lighting that meets
11 the minimum standards of the State Fire Marshall,

12 d. detention officer posts shall be located and staffed
13 close enough to the lockup area to permit detention
14 officers to hear and respond promptly to calls for
15 assistance and provide immediate response to
16 emergencies, and

17 e. there shall be designated and marked emergency
18 evacuation exits that comply with the requirements of
19 the State Fire Marshall;

20 16. Inmates held over twenty-four (24) hours shall be issued a
21 clean set of detention facility clothing to include at least shirt
22 and trousers or coveralls and footwear. An inmate shall receive a
23 complete change of clothing at least one time each week. Inmate
24 street clothing shall be placed in inmate property;

1 17. A detention officer shall be on duty on each floor where
2 inmates are confined unless the facility is equipped with:

- 3 a. viewing access to all areas of the facility through a
4 video surveillance system, and
- 5 b. an intercommunication system between the cell or
6 living area and detention officer post or control
7 center to communicate with and monitor inmates; and

8 18. Smoking policies in lockup facilities shall conform to the
9 requirements set forth in Section 1247 of Title 21 of the Oklahoma
10 Statutes.

11 SECTION 6. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 192.5 of Title 74, unless there
13 is created a duplication in numbering, reads as follows:

14 A. Each detention facility shall have written policies and
15 procedures subject to the provisions of the Oklahoma Jail Standards
16 Act and rules promulgated pursuant thereto for the following:

- 17 1. The reception, orientation and release of inmates;
- 18 2. The safety, security and control of staff, inmates, and
19 visitors;
- 20 3. Escapes or other breaches of security of the detention
21 facility;
- 22 4. Actions to be taken in emergency situations;
- 23 5. The use of physical force by staff and the use of
24 instruments of restraint against an inmate;

1 6. Conduct of inmates, which shall include offenses for which
2 charges may be imposed, and the range of sanctions and disciplinary
3 procedures to be followed. Such information shall be made available
4 to inmates. Such policies and procedures shall ensure that inmates
5 are afforded administrative due process as required by law;

6 7. Inmate requests of staff and grievance procedures, including
7 procedures for appeal;

8 8. Safety and maintenance of sanitation throughout the
9 facility;

10 9. Fire prevention and evacuation plans;

11 10. Food services and dietary requirements including
12 accommodation of medical needs and religious beliefs;

13 11. Inmate correspondence and visitation; and

14 12. Staff training, development and evaluation.

15 B. The State Department of Health shall be notified no later
16 than the next working day if any of the following incidents occur:

17 1. Extensive damage to detention facility property;

18 2. Serious injury to staff or inmate defined as life-
19 threatening or transfers to an outside medical facility;

20 3. Escape;

21 4. Serious suicide attempts defined as life-threatening or
22 requiring transfer to an outside medical facility; or

23 5. Death.

1 SECTION 7. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 192.6 of Title 74, unless there
3 is created a duplication in numbering, reads as follows:

4 A. The movement of inmates from one location to another shall
5 be controlled and supervised by staff.

6 B. Staff shall provide twenty-four (24) hour supervision of
7 inmates.

8 C. Detention officer posts shall be located and staffed to
9 monitor all inmate activity either physically or electronically and
10 close enough to the living areas to respond immediately to calls for
11 assistance and to emergency situations. A detention officer shall
12 be on duty at all times at each location where inmates are confined,
13 or the observation shall be conducted by electronic means. The
14 location shall be equipped with an intercommunication system in a
15 location that is staffed twenty-four (24) hours a day and is capable
16 of providing an emergency response.

17 D. There shall be sufficient staff to perform all assigned
18 functions relating to security, custody, and supervision of inmates.
19 Staff assignments shall provide for backup assistance for all
20 employees entering locations where inmates are confined as required
21 in the Oklahoma Jail Standards Act.

22 E. All inmates shall be searched when entering or leaving the
23 security area.

24

1 F. Policies and procedures shall specify a system for the
2 supervision of female inmates by male staff and supervision of male
3 inmates by female staff.

4 G. When both male and female inmates are housed in a detention
5 facility, at least one male and one female detention officer shall
6 be available to perform sensitive functions and procedures as
7 necessary to accommodate inmate gender.

8 H. An inmate shall be prohibited from supervising, controlling,
9 exerting, or assuming any authority over another inmate.

10 I. The name and telephone number of the practicing attorneys
11 and bonds persons in the area shall be posted conspicuously near the
12 telephone used by the inmates.

13 J. Direct supervision of inmates shall be permitted if the
14 facility has policies and procedures in place to ensure the safety
15 of employees, inmates, and visitors, and if the physical plant
16 design lends itself to direct supervision operation.

17 SECTION 8. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 192.7 of Title 74, unless there
19 is created a duplication in numbering, reads as follows:

20 The facility administrator shall develop and implement written
21 policies and procedures for the classification and segregation of
22 inmates. The classification plan shall ensure the safety of inmates
23 and staff. The following criteria shall be implemented to ensure an
24 adequate classification and reclassification system:

1 1. Inmates of opposite genders shall be housed in separated
2 living areas. Separation shall be by substantial architectural
3 arrangements which permit no sustained sight contact. Housing of
4 inmates with mixed gender identification will be administered in a
5 manner to maximize inmate safety;

6 2. Inmates considered to be a threat to other inmates or staff
7 shall be housed separately from other inmates based upon the
8 following criteria:

- 9 a. the past criminal history of the inmate,
- 10 b. the nature and severity of the charges pending against
11 the inmate,
- 12 c. the behavior of the inmate while in the facility, and
- 13 d. other relevant reasons as directed by the
14 administrator;

15 3. Inmates may be double-celled or confined to dormitory-style
16 housing if the floor space meets the square footage requirements.
17 The inmates shall be afforded temporary sleeping surfaces on an
18 interim basis and shall receive the same living conditions and
19 privileges as those occupying the general population. A fire-safe
20 cot and industry products such as those referred to as "boats" are
21 examples of suitable temporary sleeping surfaces. Any exception
22 regarding conditions and privileges shall be defined by the
23 administrator;

1 4. Inmates who are intoxicated or under the influence of a
2 controlled substance shall be housed separately from other inmates
3 until such time as the medical authority or the facility
4 administrator determines their suitability for placement into the
5 general population or other appropriate housing;

6 5. Inmates who appear to have a significant medical or
7 psychiatric problem may be separated from other inmates;

8 6. Unsentenced inmates shall be separated from sentenced
9 inmates to the extent possible, and shall be permitted whatever
10 confinement is least restrictive, unless inmate behavior or other
11 security considerations dictate otherwise; and

12 7. Classification and segregation shall not be determined
13 solely on the basis of race, color, creed, or national origin.

14 SECTION 9. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 192.8 of Title 74, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Adequate medical care shall be provided in a detention
18 facility. The facility administrator shall develop and implement
19 written policies and procedures for complete emergency medical and
20 health care services. The facility administrator shall be
21 responsible for the medical services of the detention facility and
22 shall develop, with the assistance of a designated medical
23 authority, the health care plan for the detention facility. With
24 appropriately credentialed on-site or off-site supervision, a

1 detention facility may utilize a physician or other licensed medical
2 personnel, nurse practitioners, psychologists, licensed professional
3 counselors, licensed clinical social workers, licensed masters
4 social workers, licensed alcohol and drug counselors, emergency
5 medical technicians, certified medical assistants, or certified
6 nursing assistants for the provision of medical care. Security
7 restrictions shall be considered in the development of the plan and
8 any medical personnel included in the plan shall have their
9 responsibilities regulated by written job descriptions. The health
10 care plan shall cover, at a minimum, the following:

- 11 1. Intake screening procedures;
- 12 2. Medications in the possession of the inmate;
- 13 3. Medications prescribed or administered to the inmate;
- 14 4. Documentation of information relevant to the health or
15 medical care of the inmate, including current illnesses and health
16 problems, as well as observation of the behavior and physical
17 condition of the inmate;
- 18 5. Disposition and referral of inmates to qualified medical
19 personnel on an emergency basis;
- 20 6. Retention and disposition of inmate medical records; and
- 21 7. Such other procedures as may be necessary for the protection
22 of facility employees, visitors, and inmates.

23 B. Detention facilities operated by counties, under the
24 authority of the county sheriff and the provisions of Section 531 of

1 Title 19 of the Oklahoma Statutes, may deduct monies collected from
2 an inmate as a medical payment on account for medical services
3 received by the inmate while incarcerated in the detention facility.

4 SECTION 10. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 192.9 of Title 74, unless there
6 is created a duplication in numbering, reads as follows:

7 A. A juvenile shall be incarcerated only in a detention
8 facility authorized by the appropriate judicial or juvenile bureau
9 authority. A juvenile shall not be detained in any holding facility
10 or lockup facility. This requirement shall not preclude juveniles
11 being held in non-secure areas until a parent or other responsible
12 party arrives to take custody of the juvenile.

13 B. Prior to a juvenile being placed in an eligible detention
14 facility, permission shall be obtained from the appropriate judicial
15 or juvenile bureau authority. A record of permission shall be
16 maintained at the facility.

17 C. Sight checks of juvenile inmate living areas shall be
18 performed at least one time each hour. The check shall include all
19 areas of each cell and the juvenile inmates shall be visually
20 observed. Checks shall be documented in writing on a form provided
21 by the facility administrator.

22 D. An adult inmate who is assigned trusty status shall not be
23 permitted sustained contact with a juvenile inmate. A staff member
24 shall serve all meals to a juvenile inmate.

1 E. In addition to existing visitation privileges, juvenile
2 inmates shall be permitted visits from authorized juvenile agency
3 personnel. Visits from family members, who are unable to visit
4 during normal visiting hours, shall be allowed so long as
5 arrangements for them are made in advance with the administrator and
6 provided the visit does not jeopardize security. Each facility that
7 holds a juvenile shall have written policies and procedures for such
8 visits.

9 F. A juvenile inmate shall be able to communicate with staff
10 members at all times. Such communication may be either by voice or
11 electronic means. If electronic systems are used, there shall be a
12 backup plan to insure communication ability is maintained.

13 G. No staff member shall be permitted to enter a juvenile
14 inmate living area without backup assistance being available from
15 another staff member. At least one staff member shall be of the
16 same gender as the juvenile inmate except in life-endangering
17 situations. Any time a decision is made to enter the living area
18 without appropriate backup assistance as defined herein, the action
19 shall be documented. Documentation shall show the reason for the
20 decision and a permanent record shall be maintained.

21 H. A juvenile charged with a crime which would constitute a
22 felony if committed by an adult or a juvenile who is an escapee from
23 a juvenile training school or from a Department of Human Services
24 group home may be detained in any detention facility authorized by

1 the appropriate judicial or juvenile bureau authority, police
2 station, or similar law enforcement office, not approved for long-
3 term detention for a period of six (6) hours or less for
4 identifying, processing, or arranging for transfer to a juvenile
5 detention facility or alternative program. In no other
6 circumstances shall a juvenile be securely detained in an adult
7 detention facility.

8 I. The State Department of Health shall coordinate with the
9 Office of Juvenile Affairs to certify detention facilities for
10 holding juvenile offenders based on the compliance of the detention
11 facility with the Oklahoma Jail Standards Act and the provisions of
12 Section 2-3-103 of Title 10A of the Oklahoma Statutes.

13 J. The designation of a detention facility as a place for the
14 detention of juveniles shall be made from a list of eligible
15 detention facilities supplied by the Department. Eligible detention
16 facilities shall be those detention facilities deemed by the
17 Department as compliant with the Oklahoma Jail Standards Act.

18 K. Any adult detention, holding, or lockup facility shall
19 record and report, in a manner consistent with requirements of the
20 Office of Juvenile Affairs, the detention of any person eighteen
21 (18) years of age or younger.

22 L. Records of detention for persons eighteen (18) years of age
23 or younger and detained in the last year shall be subject to review
24 during the annual inspection conducted by the Department.

1 M. If detention of a juvenile is authorized, such juveniles
2 shall be housed completely separate from adults without sustained
3 sight and sound contact. Inadvertent contact with incarcerated
4 adults outside of detention facility living areas not dedicated for
5 use by juvenile offenders should be minimized.

6 N. A juvenile may be held for up to six (6) hours for the
7 purpose of identification, investigation, processing, release to a
8 parent, transfer to court, or transfer to a juvenile facility
9 following the initial custody of the juvenile.

10 O. A juvenile arrested for or charged with a criminal offense
11 may be securely detained in an adult detention or lockup facility
12 for up to six (6) hours immediately before or immediately after a
13 court appearance, provided sight and sound separation is maintained.
14 This period may be extended to twenty-four (24) hours, excluding
15 weekends and holidays, if the jurisdiction is outside the
16 metropolitan statistical area where:

- 17 1. State law requires an initial court appearance within
- 18 twenty-four (24) hours after being taken into custody;
- 19 2. There is no acceptable alternative placement; and
- 20 3. The detention facility has been determined by the Department
- 21 to provide for sight and sound separation.

22 SECTION 11. AMENDATORY 57 O.S. 2021, Section 37, is
23 amended to read as follows:

24

1 Section 37. A. If all correctional facilities reach maximum
2 capacity and the Department of Corrections is required to contract
3 for bed space to house state inmates:

4 1. The Pardon and Parole Board shall consider all nonviolent
5 offenders for parole who are within six (6) months of their
6 scheduled release from a penal facility; and

7 2. Prior to contracting with a private prison operator to
8 provide housing for state inmates, the Department shall send
9 notification to all county jails in this state that bed space is
10 required to house the overflow population of state inmates. Upon
11 receiving notification, the sheriff or jail trust administrator of a
12 county jail is authorized to enter into agreements with the
13 Department to provide housing for the inmates. Reimbursement for
14 the cost of housing the inmates shall be a negotiated per diem rate
15 for each inmate as contracted but shall in no event be less than the
16 per diem rate provided for in Section 38 of this title.

17 B. No inmate may be received by a penal facility from a county
18 jail without first scheduling a transfer with the Department.
19 Within five (5) business days after the court orders the judgment
20 and sentence, the court clerk shall transmit to the Department by
21 facsimile, electronic mail, or actual delivery a certified copy of
22 the judgment and sentence.

23 C. The receipt of the certified copy of the judgment and
24 sentence shall be certification that the sentencing court has

1 entered a judgment and sentence and all other necessary commitment
2 documents. The Department of Corrections is authorized to determine
3 the appropriate method of delivery from each county based on
4 electronic or other capabilities, and establish a method for issuing
5 receipts certifying that the Department has received the judgment
6 and sentence document. The Department shall establish a dedicated
7 electronic address location for receipt of all electronically
8 submitted judgment and sentence documents. The electronic address
9 location shall provide written receipt verification of each received
10 judgment and sentence document. Once an appropriate judgment and
11 sentence document is received by the Department of Corrections, the
12 Department shall contact the sheriff or jail trust administrator
13 when bed space is available to schedule the transfer and reception
14 of the inmate into the Department.

15 D. If the Department receives a judgment and sentence document
16 from a county that includes inaccurate information from the
17 sentencing court the Department shall notify the county within a
18 timely manner.

19 E. When a county jail has reached its capacity of inmates as
20 provided in the standards set forth in ~~Section 192 of Title 74 of~~
21 ~~the Oklahoma Statutes~~ the Oklahoma Jail Standards Act, then the
22 county sheriff or jail trust administrator shall notify the Director
23 of the Oklahoma Department of Corrections, or the Director's
24 designated representative, by facsimile, electronic mail, or actual

1 delivery, that the county jail has reached or exceeded its capacity
2 to hold inmates. The notification shall include copies of any
3 judgment and sentences not previously delivered as required by
4 subsection B of this section. Then within seventy-two (72) hours
5 following such notification, the county sheriff or jail trust
6 administrator shall transport the designated excess inmate or
7 inmates to a penal facility designated by the Department. The
8 sheriff or jail trust administrator shall notify the Department of
9 the transport of the inmate prior to the reception of the inmate.
10 The Department shall schedule the reception date and receive the
11 inmate within seventy-two (72) hours of notification that the county
12 jail is at capacity, unless other arrangements can be made with the
13 sheriff or jail trust administrator.

14 F. The Department will be responsible for the cost of housing
15 the inmate in the county jail including costs of medical care
16 provided from the date the judgment and sentence was ordered by the
17 court until the date of transfer of the inmate from the county jail.
18 The Department shall implement a policy for determination of
19 scheduled dates on which an inmate or multiple inmates are to be
20 transferred from county jails. The policy shall allow for no less
21 than three alternative dates from which the sheriff or jail trust
22 administrator of a county jail may select and shall provide for
23 weather-related occurrences or other emergencies that may prevent or
24 delay transfers on the scheduled date. The policy shall be

1 available for review upon request by any sheriff or jail trust
2 administrator of a county jail. The cost of housing shall be the
3 per diem rate specified in Section 38 of this title. In the event
4 the inmate has one or more criminal charges pending in the same
5 Oklahoma jurisdiction and the county jail refuses to transfer the
6 inmate to the Department because of the pending charges, the
7 Department shall not be responsible for the housing costs of the
8 inmate while the inmate remains in the county jail with pending
9 charges. Once the inmate no longer has pending charges in the
10 jurisdiction, the Department shall be responsible for the housing
11 costs of the inmate for the period beginning on the date the
12 judgment and sentence or final order was ordered by the Court. In
13 the event the inmate has other criminal charges pending in another
14 Oklahoma jurisdiction, the Department shall be responsible for the
15 housing costs while the inmate remains in the county jail awaiting
16 transfer to another jurisdiction or until the date the inmate is
17 scheduled to be transferred to the Department, whichever is earlier.
18 Once the inmate is transferred to another jurisdiction, the
19 Department is not responsible for the housing cost of the inmate
20 until such time that another judgment and sentence is received by
21 the Department from another Oklahoma jurisdiction.

22 The sheriff or jail trust administrator may submit invoices for
23 the cost of housing the inmate on a monthly basis. Final payment
24

1 for housing an offender will be made only after the official
2 judgment and sentence is received by the Department of Corrections.

3 SECTION 12. AMENDATORY 57 O.S. 2021, Section 47, is
4 amended to read as follows:

5 Section 47. The sheriff, or such person designated by law in
6 ~~his~~ place of the sheriff, shall have charge of the county jail of
7 his or her county and of all persons by law confined therein, and
8 such sheriff or other officer is hereby required to conform, in all
9 respects, to the rules and directions promulgated pursuant to
10 ~~Section 192 of Title 74 of the Oklahoma Statutes~~ the Oklahoma Jail
11 Standards Act and of the district judge and communicated to ~~him~~ the
12 sheriff by the proper authority.

13 SECTION 13. AMENDATORY 57 O.S. 2021, Section 52, is
14 amended to read as follows:

15 Section 52. It shall be the duty of the sheriff of each county
16 to provide bed clothing, washing, board and medical care when
17 required, and all necessities for the comfort and welfare of
18 prisoners as specified by the standards promulgated pursuant to
19 ~~Section 192 of Title 74 of the Oklahoma Statutes~~ the Oklahoma Jail
20 Standards Act and ~~he~~ the sheriff shall be allowed such compensation
21 for services required by the provisions of Sections 41 through 64 of
22 this title, as may be prescribed by the county commissioners. All
23 purchases made pursuant to the provisions of this section shall be
24 made pursuant to the purchasing procedures specified in Sections

1 1500 through 1505 of Title 19 of the Oklahoma Statutes, including
2 the use of blanket purchase orders as provided for in Section 310.8
3 of Title 62 of the Oklahoma Statutes.

4 SECTION 14. AMENDATORY 57 O.S. 2021, Section 53, is
5 amended to read as follows:

6 Section 53. The sheriff or designated employee shall visit the
7 county jail in person and inquire into the condition of each
8 prisoner at least once each month and it shall be ~~his~~ the duty of
9 the sheriff or designated employee to comply with all standards
10 promulgated pursuant to ~~Section 192 of Title 74 of the Oklahoma~~
11 ~~Statutes~~ the Oklahoma Jail Standards Act.

12 SECTION 15. AMENDATORY 57 O.S. 2021, Section 55, is
13 amended to read as follows:

14 Section 55. If the sheriff or jailer in charge of any county
15 jail shall neglect or refuse to comply with any of the rules and
16 regulations established by the district judge, or pursuant to
17 ~~Section 192 of Title 74 of the Oklahoma Statutes~~ the Oklahoma Jail
18 Standards Act, or to any other duties required ~~of him by~~ pursuant to
19 Sections 41 through 64 of this title, ~~he~~ the sheriff or jailer in
20 charge shall, on conviction thereof, by indictment for each case of
21 such failure or neglect of duty as aforesaid, pay into the county
22 treasury of the proper county, for the use of such county, a fine of
23 not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars

24

1 (\$100.00) to be assessed by the district court of the proper
2 district.

3 SECTION 16. AMENDATORY 57 O.S. 2021, Section 57, as
4 amended by Section 1, Chapter 35, O.S.L. 2023 (57 O.S. Supp. 2023,
5 Section 57), is amended to read as follows:

6 Section 57. A. In the city and county jails in this state,
7 there shall be provided sufficient and convenient apartments for
8 confining prisoners of different sexes and classification separate
9 and apart from each other. The sheriff of each county of this state
10 shall notify the Department of Corrections of the prisoner capacity
11 of the county jail by July 1, 2003. After that date, changes in
12 prisoner capacity shall be reported within thirty (30) days of the
13 change. For purposes of this section, "prisoner capacity" means the
14 capacity determined by the State Fire Marshal pursuant to Section
15 317 of Title 74 of the Oklahoma Statutes.

16 B. In the city and county jails in this state, there shall be a
17 system of classifying prisoners, based upon the severity of the
18 charges, past criminal history and other relevant factors.

19 C. In the city and county jails in this state, prisoners
20 classified pursuant to subsection B of this section may be confined
21 two per cell or barrack-style, provided the living space meets the
22 square footage requirements set forth in ~~Section 192 of Title 74 of~~
23 ~~the Oklahoma Statutes~~ the Oklahoma Jail Standards Act.

24

1 D. All funds used by the Department of Corrections to contract
2 with private contractors for the building of prisons and pre-release
3 centers will be subject to appropriations by the Legislature.

4 E. Nothing in this section shall authorize contracts with
5 private contractors for construction of prison facilities, unless
6 authorized by the Legislature.

7 F. As used in this section, "barrack-style" means a single
8 designated space within a city or county jail facility for the
9 purpose of housing three or more inmates.

10 SECTION 17. AMENDATORY 63 O.S. 2021, Section 472, is
11 amended to read as follows:

12 Section 472. It shall be the duty of the governing bodies of
13 all municipalities to insure compliance with standards governing
14 conditions in municipal jails as prescribed in ~~Section 192 of Title~~
15 ~~74 of the Oklahoma Statutes~~ the Oklahoma Jail Standards Act.

16 SECTION 18. AMENDATORY 69 O.S. 2021, Section 617, is
17 amended to read as follows:

18 Section 617. The board of county commissioners shall furnish
19 wholesome food in sufficient quantity and variety to all convicts
20 working upon the public roads to maintain them in good health and
21 vigor, and shall furnish medical attention when required in
22 accordance with the standards promulgated pursuant to ~~Section 192 of~~
23 ~~Title 74 of the Oklahoma Statutes~~ the Oklahoma Jail Standards Act.

24

1 SECTION 19. AMENDATORY 74 O.S. 2021, Section 193, is
2 amended to read as follows:

3 Section 193. A. Inspectors employed by the State Department of
4 Health shall be permitted to enter all jail premises and
5 administrative offices for the purpose of performing their assigned
6 duties.

7 B. The results of these inspections shall be presented in the
8 form of a written report to the person immediately responsible for
9 the administration of the facility inspected and such other offices
10 the Department deems appropriate. The report shall contain:

11 1. A list of deficiencies in the condition or operation of the
12 facility and specific proposals for their solution; and

13 2. A statement as to whether or not the facility inspected is
14 in substantial compliance with the jail standards established
15 pursuant to ~~Section 192 of this title~~ the Oklahoma Jail Standards
16 Act.

17 SECTION 20. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

21
22
23
24

1 Passed the House of Representatives the 12th day of March, 2024.

2
3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2024.

7
8 _____
9 Presiding Officer of the Senate