1	SENATE FLOOR VERSION
2	February 22, 2024 AS AMENDED
3	SENATE BILL NO. 1873 By: Weaver
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6	[custody of prisoners - medical exceptions -
7	acceptance - effective date]
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9	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
10	SECTION 1. AMENDATORY 21 O.S. 2021, Section 533, as
11	amended by Section 1, Chapter 105, O.S.L. 2022 (21 O.S. Supp. 2023,
12	Section 533), is amended to read as follows:
13	Section 533. A. Except as provided in this section and Section
14	979a of Title 22 of the Oklahoma Statutes, for emergency medical
15	treatment for an injury or condition that threatens life or
16	threatens the loss or use of a limb or where authorized personnel of
17	the jail have deemed a person medically unfit to be received into
18	custody, any peace officer or jail or prison contractor who, in
19	violation of a duty imposed upon the officer or contractor by law or
20	by contract to receive into custody any person as a prisoner,
21	willfully neglects or refuses so to receive such person into custody
22	is guilty of a misdemeanor.
23	B. Except as provided in this section and Section 979a of Title
24	22 of the Oklahoma Statutes, for emergency medical treatment for an

SENATE FLOOR VERSION - SB1873 SFLR (Bold face denotes Committee Amendments) 1 injury or condition that threatens life or threatens the loss or use 2 of a limb or where authorized personnel of the jail have deemed a person medically unfit to be received into custody, any peace 3 officer or jail or prison contractor who, in violation of a duty 4 5 imposed upon the officer or contractor by law or by contract to fingerprint any person received into custody as a prisoner, 6 willfully neglects or refuses so to fingerprint such person is 7 guilty of a misdemeanor. 8

9 Provided, however, authorized personnel of a jail shall not deem a 10 person medically unfit to be received into custody if the person has 11 been medically cleared at a hospital prior to his or her arrival at 12 the jail and his or her condition has not substantially changed from 13 the time at which he or she was medically cleared.

C. Any person coming into contact with a peace officer prior to 14 being actually received into custody at a jail facility or holding 15 facility, including, but not limited to, during the time of any 16 arrest, detention, transportation, investigation of any incident, 17 accident or crime, who needs emergency medical treatment for an 18 injury or condition that threatens life or threatens the loss or use 19 of a limb, shall be taken directly to a medical facility or hospital 20 for such emergency medical care notwithstanding any duty imposed 21 pursuant to this section or any other provision of law to first take 22 such person into custody or to fingerprint such person. 23 The responsibility for payment of such emergency medical costs shall be 24

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1	the sole responsibility of the person coming into the officer's
2	contact and shall not be the responsibility of any jail, law
3	enforcement agency, jail or prison contractor, sheriff, peace
4	officer, municipality or county, except when the condition is a
5	direct result of injury caused by such officer acting outside the
6	scope of lawful authority.
7	SECTION 2. This act shall become effective November 1, 2024.
8	COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY February 22, 2024 - DO PASS AS AMENDED
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