

1 **SENATE FLOOR VERSION**

2 March 30, 2015

3 **AS AMENDED**

4 ENGROSSED HOUSE
5 BILL NO. 1150

6 By: Grau and Sherrer of the
7 House

8 and

9 Griffin of the Senate

10 An Act relating to mental health; amending 43A O.S.
11 2011, Section 3-417.1, which prohibits certain
12 facilities from being located within certain distance
13 from certain schools; removing certain facility from
14 such prohibition; providing an effective date; and
15 declaring an emergency.

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

17 SECTION 1. AMENDATORY 43A O.S. 2011, Section 3-417.1, is
18 amended to read as follows:

19 Section 3-417.1 Any ~~private treatment facility,~~ transitional
20 living center or halfway house, as defined in Section 3-403 of this
21 title, shall be subject to the nondiscriminatory zoning laws of the
22 state, county or municipality in which located, and the location of
23 such facility is specifically prohibited within one thousand (1,000)
24 feet of any public or private elementary or secondary school.

25 Provided, that if any public or private elementary or secondary
26 school shall be established within the prohibited distance from any

1 such facility after such facility has been in use as a ~~treatment~~
2 ~~facility,~~ transitional living center or halfway house, this shall
3 not be a bar to the continued use of the facility as designated so
4 long as it remains in continuous use as designated. The distance
5 indicated in this section shall be measured from the nearest
6 property line of the school to the nearest property line of the
7 ~~treatment facility,~~ transitional living center or halfway house.
8 The provisions of this section shall not apply to any ~~treatment~~
9 ~~facility,~~ transitional living center or halfway house established
10 prior to the effective date of this act.

11 SECTION 2. This act shall become effective July 1, 2015.

12 SECTION 3. It being immediately necessary for the preservation
13 of the public peace, health and safety, an emergency is hereby
14 declared to exist, by reason whereof this act shall take effect and
15 be in full force from and after its passage and approval.

16 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
17 March 30, 2015 - DO PASS AS AMENDED
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