

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2340

By: Roberts (Sean)

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5
6 AS INTRODUCED

7 An Act relating to counties and county officers;
8 amending 19 O.S. 2011, Section 513.2, which relates
9 to duties in operation or management of jail
10 facilities, holding facilities or detention centers;
11 providing exemption for certain entities operating or
12 managing jail facilities, holding facilities or
13 detention centers; and providing an effective date.

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

15 SECTION 1. AMENDATORY 19 O.S. 2011, Section 513.2, is
16 amended to read as follows:

17 Section 513.2 A. ~~For~~ Except as otherwise provided in
18 subsection D of this section, for purposes of any jail facility,
19 holding facility or detention center, every reference in statute or
20 rule to any duty or responsibility imposed upon the sheriff or any
21 jailer to operate, manage or provide any service to any person in
22 the custody of such facility or any service related to the
23 management or operation of such facility shall be deemed applicable
24 to and imposed upon the public trust or private owner or management

1 entity who by contract or otherwise legally operates or manages such
2 jail facility, holding facility or detention facility.

3 B. ~~It~~ Except as otherwise provided in subsection D of this
4 section, it is unlawful for any public trust, private owner or
5 management entity contracting to operate or manage any jail
6 facility, holding facility or detention center to fail to comply
7 with the provisions of any statute or rule relating to duties and
8 responsibilities required to operate, manage and provide services to
9 any person in the custody of such facility.

10 C. ~~Every~~ Except as otherwise provided in subsection D of this
11 section, every governmental entity and other authority who contracts
12 for the operation or management of any jail facility, holding
13 facility or detention center with a public trust or any private
14 owner or management entity shall be required to have a provision in
15 such contract requiring compliance with the duties and
16 responsibilities imposed by statute or rule to operate or manage a
17 jail facility, holding facility or detention center.

18 D. Any public trust, private owner or management entity who by
19 contract or otherwise legally operates or manages a jail facility,
20 holding facility or detention facility located in a county with a
21 population of five hundred thousand (500,000) or more persons
22 according to the most recent Federal Decennial Census and is in
23 compliance with federal law or rule relating to duties and
24 responsibilities required to operate, manage and provide services to

1 any person in the custody of such facility, shall be exempt from
2 subsections A, B and C of this section.

3 E. Nothing in this section shall be construed to confer or
4 grant any peace-officer status or peace-officer power to any public
5 trust or private owner or management entity that by contract
6 operates or manages any jail facility, holding facility or detention
7 center, except as may be specifically provided in another provision
8 of law.

9 SECTION 2. This act shall become effective November 1, 2019.

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