

1 **SENATE FLOOR VERSION**

2 April 6, 2016

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL NO. 2398

By: Biggs and Tadlock of the  
House

and

Griffin and Brooks of the  
Senate

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10 [ crime victims - directing the Department of  
11 Corrections to give certain notice - codification -  
effective date ]

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

15 SECTION 1. AMENDATORY 21 O.S. 2011, Section 142A-13, is  
16 amended to read as follows:

17 Section 142A-13. A. Upon the granting of a parole by the  
18 Governor, and release of the inmate to the community, the Pardon and  
19 Parole Board shall provide written notification to any victim of the  
20 crime for which the parolee was convicted by mailing the  
21 notification to the last-known address of the victim, if such  
22 information is requested by the victim. The Pardon and Parole Board  
23 shall not give the address of the parolee to any victim of the crime  
24 for which the parolee was convicted.

1 B. Upon the granting of a pardon by the Governor, the Pardon  
2 and Parole Board shall provide written notification to any victim of  
3 the crime for which the person receiving the pardon was convicted by  
4 mailing the notification to the last-known address of the victim, if  
5 such information is requested by the victim. The Pardon and Parole  
6 Board shall not give the address of the person receiving the pardon  
7 to any victim of the crime for which the person receiving the pardon  
8 was convicted.

9 C. The notification shall be made on a monthly basis by the  
10 tenth day of the month following the granting of the pardon or  
11 parole.

12 D. To help ensure that crime victims are guaranteed the right  
13 to receive proper and timely notification of when an inmate is to be  
14 released, the Department of Corrections shall be required to give  
15 notice of the date of release or date of anticipated release of the  
16 inmate to a service provider designated by the Attorney General that  
17 provides this service relating to the release of offenders convicted  
18 of the following offenses:

- 19 1. Rape in the first degree;
- 20 2. Attempted murder; and
- 21 3. Domestic abuse punished by a felony.

22 The notice shall be given on or before the date of anticipated  
23 release of the inmate. The Department of Corrections shall be  
24 prohibited from releasing the inmate to the community until the

1 notification has been provided to and received by the designated  
2 service provider.

3 E. Nothing in this section shall be deemed to impose any  
4 liability upon or to give rise to a cause of action against any  
5 public official, public employee or public agency for failure to  
6 provide notification.

7 SECTION 2. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 360.1 of Title 57, unless there  
9 is created a duplication in numbering, reads as follows:

10 To help ensure that crime victims are guaranteed the right to  
11 receive proper and timely notification of when an inmate is to be  
12 released, the Department of Corrections shall be required to give  
13 notice of the date of release or date of anticipated release of the  
14 inmate to a service provider designated by the Attorney General that  
15 provides this service relating to the release of offenders convicted  
16 of the following offenses:

- 17 1. Rape in the first degree;
- 18 2. Attempted murder; and
- 19 3. Domestic abuse punished by a felony.

20 The notice shall be given on or before the date of anticipated  
21 release of the inmate. The Department of Corrections shall be  
22 prohibited from releasing the inmate to the community until the  
23 notification has been provided to and received by the designated  
24 service provider.

1        Nothing in this section shall be deemed to impose any liability  
2 upon or to give rise to a cause of action against any public  
3 official, public employee or public agency for failure to provide  
4 notification.

5        SECTION 3. This act shall become effective November 1, 2018.

6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
7 April 6, 2016 - DO PASS AS AMENDED  
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