

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2398

By: Biggs and Tadlock of the
House

4 and

5 Griffin of the Senate

6
7
8 [crime victims - directing the Department of
9 Corrections to give certain notice to the Oklahoma
10 Victim Information and Notification Everyday (VINE)
11 service - effective date]

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14 AUTHOR: Add the following House Coauthors: Sanders and Jordan

15 AUTHOR: Add the following Senate Coauthor: Brooks

16 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

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18 "An Act relating to crime victims; amending 21 O.S.
19 2011, Section 142A-13, which relates to the Oklahoma
20 Victim's Rights Act; adding notification requirement;
21 directing the Department of Corrections to give
22 certain notice regarding release of offenders;
23 providing time limitation for providing notice;
24 prohibiting the release of inmates until notification
provided; providing for codification; and providing
an effective date.

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

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

3 Section 142A-13. A. Upon the granting of a parole by the
4 Governor, and release of the inmate to the community, the Pardon and
5 Parole Board shall provide written notification to any victim of the
6 crime for which the parolee was convicted by mailing the
7 notification to the last-known address of the victim, if such
8 information is requested by the victim. The Pardon and Parole Board
9 shall not give the address of the parolee to any victim of the crime
10 for which the parolee was convicted.

11 B. Upon the granting of a pardon by the Governor, the Pardon
12 and Parole Board shall provide written notification to any victim of
13 the crime for which the person receiving the pardon was convicted by
14 mailing the notification to the last-known address of the victim, if
15 such information is requested by the victim. The Pardon and Parole
16 Board shall not give the address of the person receiving the pardon
17 to any victim of the crime for which the person receiving the pardon
18 was convicted.

19 C. The notification shall be made on a monthly basis by the
20 tenth day of the month following the granting of the pardon or
21 parole.

22 D. To help ensure that crime victims are guaranteed the right
23 to receive proper and timely notification of when an inmate is to be
24 released, the Department of Corrections shall be required to give

1 notice of the date of release or date of anticipated release of the
2 inmate to a service provider designated by the Attorney General that
3 provides this service relating to the release of offenders convicted
4 of the following offenses:

- 5 1. Rape in the first degree;
- 6 2. Attempted murder; and
- 7 3. Domestic abuse punished by a felony.

8 The notice shall be given on or before the date of anticipated
9 release of the inmate. Unless otherwise provided by law, the
10 Department of Corrections shall be prohibited from releasing the
11 inmate to the community until the notification has been provided to
12 and received by the designated service provider.

13 E. Nothing in this section shall be deemed to impose any
14 liability upon or to give rise to a cause of action against any
15 public official, public employee or public agency for failure to
16 provide notification.

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

20 To help ensure that crime victims are guaranteed the right to
21 receive proper and timely notification of when an inmate is to be
22 released, the Department of Corrections shall be required to give
23 notice of the date of release or date of anticipated release of the
24 inmate to a service provider designated by the Attorney General that

1 provides this service relating to the release of offenders convicted
2 of the following offenses:

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

6 The notice shall be given on or before the date of anticipated
7 release of the inmate. The Department of Corrections shall be
8 prohibited from releasing the inmate to the community until the
9 notification has been provided to and received by the designated
10 service provider.

11 Nothing in this section shall be deemed to impose any liability
12 upon or to give rise to a cause of action against any public
13 official, public employee or public agency for failure to provide
14 notification.

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

16 Passed the Senate the 20th day of April, 2016.

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Presiding Officer of the Senate

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20 Passed the House of Representatives the ____ day of _____,
21 2016.

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Presiding Officer of the House
of Representatives

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9 Corrections to give certain notice to the Oklahoma
10 Victim Information and Notification Everyday (VINE)
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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 4. 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 the service provider designated by the Attorney General of
17 the Oklahoma Victim Information and Notification Everyday (VINE)
18 service. The notice shall be given not less than five (5) days
19 prior to the release of the inmate. The Department of Corrections
20 shall be prohibited from releasing the inmate to the community until
21 said notification has been provided to and received by the service
22 provider of the Oklahoma VINE service.

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1 SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 360.1 of Title 57, unless there
3 is created a duplication in numbering, reads as follows:

4 To help ensure that crime victims are guaranteed the right to
5 receive proper and timely notification of when an inmate is to be
6 released, the Department of Corrections shall be required to give
7 notice of the date of release or date of anticipated release of the
8 inmate to the service provider designated by the Attorney General of
9 the Oklahoma Victim Information and Notification Everyday (VINE)
10 service. The notice shall be given not less than five (5) days
11 prior to the release of the inmate. The Department of Corrections
12 shall be prohibited from releasing the inmate to the community until
13 said notification has been provided to and received by the service
14 provider of the Oklahoma VINE service.

15 SECTION 6. This act shall become effective November 1, 2018.

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1 Passed the House of Representatives the 10th day of March, 2016.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2016.

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9 Presiding Officer of the Senate