

1 ENGROSSED HOUSE
2 BILL NO. 2608

By: Humphrey of the House

3 and

4 Bullard of the Senate

5
6
7 An Act relating to prisons and reformatories;
8 amending 57 O.S. 2021, Section 583, which relates to
9 the Sex Offenders Registration Act; modifying scope
10 of certain definition; and providing an effective
11 date.

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

13 SECTION 1. AMENDATORY 57 O.S. 2021, Section 583, is
14 amended to read as follows:

15 Section 583. A. Any person who becomes subject to the
16 provisions of the Sex Offenders Registration Act on or after
17 November 1, 1989, shall register, in person, as follows:

18 1. With the Department of Corrections within three (3) business
19 days of being convicted or receiving a suspended sentence or any
20 probationary term, including a deferred sentence imposed in
21 violation of subsection G of Section 991c of Title 22 of the
22 Oklahoma Statutes, if the person is not incarcerated, or not less
23 than three (3) business days prior to the release of the person from
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1 a correctional institution, except as provided in subsection B of
2 this section;

3 2. With the local law enforcement authority having jurisdiction
4 in the area where the person resides or intends to reside for seven
5 (7) consecutive days or fourteen (14) days in a sixty-day period, or
6 longer, calculated beginning with the first day. The registration
7 is required within three (3) days after entering the jurisdiction of
8 the law enforcement authority; and

9 3. With the Department of Corrections and the local law
10 enforcement authority no less than three (3) business days prior to
11 abandoning or moving from the address of the previous registration,
12 or within three (3) business days of changing or terminating
13 employment, or changing enrollment status as a student.

14 For purposes of this section, "local law enforcement authority"
15 means:

- 16 a. the municipal police department, if the person resides
17 or intends to reside or stay within the jurisdiction
18 of any municipality of this state, ~~or~~
- 19 b. the county sheriff, if the person resides or intends
20 to reside or stay at any place outside the
21 jurisdiction of any municipality within this state,
22 ~~and~~
- 23 c. the police or security department of any institution
24 of higher learning within this state if the person:

- 1 (1) enrolls as a full-time or part-time student,
- 2 (2) is a full-time or part-time employee at an
- 3 institution of higher learning, or
- 4 (3) resides or intends to reside or stay on any
- 5 property owned or controlled by the institution
- 6 of higher learning, and

7 d. the police or law enforcement officers of any
8 federally recognized Indian nation or tribe in
9 Oklahoma if the person resides or intends to reside or
10 stay within the jurisdictional boundaries of the
11 federally recognized Indian nation or tribe, with the
12 understanding that any person registering with a
13 federally recognized Indian nation or tribe in
14 Oklahoma is additionally required to register with the
15 local law enforcement authority identified in this
16 subsection.

17 B. Any person who has been convicted of an offense or received
18 a deferred judgment for an offense in another jurisdiction, which
19 offense if committed or attempted in this state, would have been
20 punishable as one or more of the offenses listed in Section 582 of
21 this title and who enters this state on or after November 1, 1989,
22 shall register, in person, as follows:

23 1. With the Department of Corrections when the person enters
24 and intends to be in the state for any purpose for five (5)

1 consecutive days or longer, calculated beginning with the first day,
2 has any type of full-time or part-time employment, with or without
3 compensation for more than five (5) cumulative days in any sixty-day
4 period, or is enrolled as a full-time or part-time student within
5 this state. Such registration is required within two (2) days after
6 entering the state;

7 2. With the local law enforcement authority having jurisdiction
8 in the area where the person intends to reside or to stay for five
9 (5) consecutive days or longer, calculated beginning with the first
10 day, has any type of full-time or part-time employment, with or
11 without compensation for more than five (5) cumulative days in any
12 sixty-day period, or is enrolled as a full-time or part-time student
13 within this state. The registration is required with local law
14 enforcement within two (2) days after entering the jurisdiction of
15 the law enforcement authority; and

16 3. With the Department of Corrections and the local law
17 enforcement authority no less than three (3) business days prior to
18 abandoning or moving from the address of the previous registration,
19 or within three (3) business days of changing or terminating
20 employment, or changing enrollment status as a student.

21 Upon registering a person who has been convicted of an offense
22 or received a deferred judgment for an offense in another
23 jurisdiction, which offense, if committed or attempted in this
24 state, would have been punishable as one or more of the offenses

1 listed in Section 582 of this title, the local law enforcement
2 authority shall forward the registration information to the sex
3 offender level assignment committee of the Department of
4 Corrections.

5 C. When a person has been convicted or received probation
6 within the State of Oklahoma, the person shall be required to
7 register with the Department of Corrections as follows:

8 1. For a total period of fifteen (15) years, if the level
9 assignment of the person is one;

10 2. For a total period of twenty-five (25) years, if the level
11 assignment of the person is two; and

12 3. For life, if the level assignment of the person is three or
13 the person is classified as a habitual or aggravated sex offender.

14 The registration period shall begin from the date of the completion
15 of the sentence, and shall not conclude until the offender has been
16 in compliance for the total amount of time required by this act.

17 For level one and level two offenders, if the offender ceases to
18 properly register during the fifteen-year or twenty-five-year

19 periods, the Department of Corrections shall retain the name of the
20 offender on the registry until the offender has fully complied with
21 the requirements of this act for the total period of time required.

22 The Department of Corrections shall maintain records necessary to
23 determine whether the offender has registered for the total period
24 of time required. The information received pursuant to the

1 registration with the Department of Corrections required by this
2 section shall be maintained by the Department of Corrections for at
3 least ten (10) years from the date that the offender completed the
4 obligations under this act.

5 D. When a person has been convicted or received probation
6 within the State of Oklahoma, the person shall be required to
7 register with the local law enforcement authority as follows:

8 1. For a total period of fifteen (15) years, if the level of
9 the person is one;

10 2. For a total period of twenty-five (25) years, if the level
11 of the person is two; and

12 3. For life, if the level of the person is three or the person
13 has been classified as a habitual or aggravated sex offender.

14 The registration period shall begin from the date of completion of
15 the sentence and shall not conclude until the offender has been in
16 compliance for the total amount of time required by this act. The
17 information received pursuant to the registration with the local law
18 enforcement authority required by this section shall be maintained
19 by such authority for at least ten (10) years from the date that the
20 offender completed the obligations under this act.

21 E. Any person assigned a level of one who has been registered
22 for a period of ten (10) years and who has not been arrested or
23 convicted for any felony or misdemeanor offense since being released
24 from confinement, may petition the district court in the

1 jurisdiction where the person resides for the purpose of removing
2 the level designation and allowing the person to no longer be
3 subject to the registration requirements of the Sex Offenders
4 Registration Act.

5 F. When registering an offender as provided in this section the
6 Department of Corrections or the local law enforcement agency having
7 jurisdiction shall:

8 1. Inform the offender of the duty to register and obtain the
9 information required for registration as described in this section;

10 2. Inform the offender that if the offender changes address,
11 the offender shall appear in person and give notice of the move and
12 the new address to the Department of Corrections and to the local
13 law enforcement authority in the location in which the offender
14 previously resided no later than three (3) days before the offender
15 establishes residence or is temporarily domiciled at the new
16 address;

17 3. Inform the offender that if the offender changes address to
18 another state, the offender shall appear in person and give notice
19 of the move and shall register the new address with the Department
20 of Corrections and with a designated law enforcement agency in the
21 new state not later than ten (10) days before the offender
22 establishes residency or is temporarily domiciled in the new state,
23 if the new state has a registration requirement;

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1 4. Inform the offender that if the offender participates in any
2 full-time employment, with or without compensation, and changes or
3 terminates such employment, the offender shall appear in person and
4 give notice of the change or termination of employment to the
5 Department of Corrections and to the local law enforcement authority
6 in the location where the offender was employed within three (3)
7 days of such change or termination of employment;

8 5. Inform the offender that if the offender participates in any
9 full-time or part-time employment, in another state, with or without
10 compensation for more than fourteen (14) cumulative days in any
11 sixty-day period or an aggregate period exceeding thirty (30) days
12 in a calendar year, then the offender has a duty to register as a
13 sex offender in that state;

14 6. Inform the offender that if the offender enrolls in any type
15 of school in another state as a full-time or part-time student then
16 the offender has a duty to register as a sex offender in that state;

17 7. Inform the offender that if the offender enrolls in any
18 school within this state as a full-time or part-time student, then
19 the offender has a duty to register as a sex offender with the
20 Department of Corrections and the local law enforcement authority;

21 8. Inform the offender that if the offender participates in any
22 full-time or part-time employment at any school, with or without
23 compensation, or participates in any vocational course or occupation
24 at any school in this state, then the offender has a duty to appear

1 in person and notify the Department of Corrections and the local law
2 enforcement authority of such employment or participation at least
3 three (3) days before commencing or upon terminating such employment
4 or participation;

5 9. Inform the offender that if the offender graduates,
6 transfers, drops, terminates or otherwise changes enrollment or
7 employment at any school in this state, then the offender shall
8 appear in person and notify the Department of Corrections and the
9 local law enforcement authority of such change in enrollment or
10 employment within three (3) days of the change; and

11 10. Require the offender to read and sign a form stating that
12 the duty of the person to register under the Sex Offenders
13 Registration Act has been explained.

14 G. For the purpose of this section, the "date of the completion
15 of the sentence" means the day an offender completes all
16 incarceration, probation and parole pertaining to the sentence.

17 H. Any person who resides in another state and who has been
18 convicted of an offense or received a deferred judgment for an
19 offense in this state, or in another jurisdiction, which offense if
20 committed or attempted in this state would have been punishable as
21 one or more of the offenses listed in Section 582 of this title, and
22 who is the spouse of a person living in this state shall be
23 registered as follows:

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1 1. With the Department of Corrections when the person enters
2 and intends to be in the state for any purpose for five (5)
3 consecutive days or longer, calculated beginning with the first day
4 or an aggregate period of five (5) days or longer in a calendar
5 year. Such registration is required within two (2) days after
6 entering the state; and

7 2. With the local law enforcement authority having jurisdiction
8 in the area where the person intends to reside or to stay within
9 this state for two (2) consecutive days or longer, calculated
10 beginning with the first day. The registration is required with
11 local law enforcement within two (2) days after entering the
12 jurisdiction of the law enforcement authority.

13 I. The duty to register as a sex offender in this state shall
14 not be prevented if, at the time of registration, it is determined
15 that the person owns or leases a residence that is located within a
16 restricted area provided for in Section 590 of this title.

17 SECTION 2. This act shall become effective November 1, 2023.

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1 Passed the House of Representatives the 8th day of March, 2023.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ___ day of _____, 2023.

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8 _____
9 Presiding Officer of the Senate