

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2608

By: Humphrey

7  
8                                   COMMITTEE SUBSTITUTE

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

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

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

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

20                   1. With the Department of Corrections within three (3) business  
21                   days of being convicted or receiving a suspended sentence or any  
22                   probationary term, including a deferred sentence imposed in  
23                   violation of subsection G of Section 991c of Title 22 of the  
24                   Oklahoma Statutes, if the person is not incarcerated, or not less

1 than three (3) business days prior to the release of the person from  
2 a correctional institution, except as provided in subsection B of  
3 this section;

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

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

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

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

24

1 c. the police or security department of any institution  
2 of higher learning within this state if the person:  
3 (1) enrolls as a full-time or part-time student,  
4 (2) is a full-time or part-time employee at an  
5 institution of higher learning, or  
6 (3) resides or intends to reside or stay on any  
7 property owned or controlled by the institution  
8 of higher learning, and

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

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

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

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

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

23           Upon registering a person who has been convicted of an offense  
24 or received a deferred judgment for an offense in another

1 jurisdiction, which offense, if committed or attempted in this  
2 state, would have been punishable as one or more of the offenses  
3 listed in Section 582 of this title, the local law enforcement  
4 authority shall forward the registration information to the sex  
5 offender level assignment committee of the Department of  
6 Corrections.

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

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

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

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

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

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

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

24 The Department of Corrections shall maintain records necessary to

1 determine whether the offender has registered for the total period  
2 of time required. The information received pursuant to the  
3 registration with the Department of Corrections required by this  
4 section shall be maintained by the Department of Corrections for at  
5 least ten (10) years from the date that the offender completed the  
6 obligations under this act.

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

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

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

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

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

23 E. Any person assigned a level of one who has been registered  
24 for a period of ten (10) years and who has not been arrested or

1 convicted for any felony or misdemeanor offense since being released  
2 from confinement, may petition the district court in the  
3 jurisdiction where the person resides for the purpose of removing  
4 the level designation and allowing the person to no longer be  
5 subject to the registration requirements of the Sex Offenders  
6 Registration Act.

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

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

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

19 3. Inform the offender that if the offender changes address to  
20 another state, the offender shall appear in person and give notice  
21 of the move and shall register the new address with the Department  
22 of Corrections and with a designated law enforcement agency in the  
23 new state not later than ten (10) days before the offender  
24

1 establishes residency or is temporarily domiciled in the new state,  
2 if the new state has a registration requirement;

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

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

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

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

23 8. Inform the offender that if the offender participates in any  
24 full-time or part-time employment at any school, with or without



1 compensation, or participates in any vocational course or occupation  
2 at any school in this state, then the offender has a duty to appear  
3 in person and notify the Department of Corrections and the local law  
4 enforcement authority of such employment or participation at least  
5 three (3) days before commencing or upon terminating such employment  
6 or participation;

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

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

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

19 H. Any person who resides in another state and who has been  
20 convicted of an offense or received a deferred judgment for an  
21 offense in this state, or in another jurisdiction, which offense if  
22 committed or attempted in this state would have been punishable as  
23 one or more of the offenses listed in Section 582 of this title, and  
24

1 who is the spouse of a person living in this state shall be  
2 registered as follows:

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

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

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

19 SECTION 2. This act shall become effective November 1, 2023.  
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21 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,  
22 dated 03/02/2023 - DO PASS, As Amended.  
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