

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 HOUSE BILL 3535

 By: Roe

7 AS INTRODUCED

8 An Act relating to public health and safety; amending
9 63 O.S. 2011, Section 1-523, which relates to the
10 treatment of infected inmates; deleting certain
 notification requirement; and providing an effective
 date.

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

14 SECTION 1. AMENDATORY 63 O.S. 2011, Section 1-523, is
15 amended to read as follows:

16 Section 1-523. A. 1. Any and all institutions in this state,
17 whether penal or eleemosynary, public or private, and free or for
18 pay, shall make, and preserve for a period of at least one (1) year,
19 a record showing the name, age, sex, race, nationality and place of
20 residence of any infected inmate of such institution who may come to
21 their knowledge.

22 2. The institution shall make available such record at all
23 reasonable hours for inspection by the State Commissioner of Health
24 or the local health officer.

1 3. Such institutions shall further furnish a physician and all
2 proper medicines, instruments and apparatus for the proper treatment
3 of such infected inmate.

4 ~~B. Each institution and each Department of Corrections district~~
5 ~~office, and each county or municipal jail shall notify their~~
6 ~~correctional officers, probation and parole officers, and any~~
7 ~~jailor, or other employee or any employee of the Pardon and Parole~~
8 ~~Board, who has or will have direct contact with an inmate, when such~~
9 ~~inmate is infected with the human immunodeficiency virus (HIV) or~~
10 ~~has the Acquired Immune Deficiency Syndrome (AIDS) disease.~~

11 ~~C.~~ 1. If an officer or employee of the State of Oklahoma, or
12 any other person comes into contact with the bodily fluids of an
13 inmate in a state correctional facility, the Director of the
14 Department of Corrections or designee, under such rules as the
15 Director shall promulgate to carry out the provisions of this
16 section, shall cause such inmate to be tested for such disease, if
17 no prior record of the existence of such disease exists. If an
18 officer or employee of a county jail, or any other person, comes
19 into contact with the bodily fluids of an inmate in a county jail,
20 the sheriff or designee, under policies the sheriff shall promulgate
21 to carry out the provisions of this section, shall cause the inmate
22 to be tested for such disease, if no prior record of the existence
23 of such disease exists.

1 2. The Director or designee shall promptly communicate in
2 writing the results of the test to the person so exposed and refer
3 the employee to the Department of Correction's Employee Assistance
4 Program for appropriate referrals for counseling, health care, and
5 support services for the person so exposed. If the exposure occurs
6 within a county jail, the sheriff or designee shall promptly
7 communicate in writing the results of the test to the person so
8 exposed and refer the employee to the employee assistance program of
9 the county for appropriate referrals for counseling, health care,
10 and support services for the person so exposed.

11 3. As used in this section, the term "serious transmissible
12 disease" means the Human Immunodeficiency Virus (HIV) and hepatitis.

13 SECTION 2. This act shall become effective November 1, 2020.

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15 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/20/2020 -
16 DO PASS.

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