

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1847

By: Stewart

AS INTRODUCED

An Act relating to vagrancy; amending 11 O.S. 2021, Section 22-123, which relates to vagrancy; defining term; granting businesses certain right; providing for removal of vagrants within certain distance of businesses; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2021, Section 22-123, is amended to read as follows:

Section 22-123. A. As used in this act, "vagrant" means a person who is in, remains in, or wanders about a public or private place for any of the following purposes:

1. Gambling with cards, dice, or other gambling paraphernalia;

2. Engaging in prostitution, soliciting prostitution, or soliciting for an act of lewdness;

3. Engaging in theft or breaking and entering into any building, property, or automobile of another;

4. Injuring, destroying, molesting, or defacing any property of another;

1        5. Begging or soliciting alms, provided that such begging or  
2 solicitation is not for a bona fide religious, charitable, or  
3 eleemosynary organization with the authorization of such  
4 organization; or

5        6. Selling, purchasing, trading, or otherwise exchanging,  
6 procuring, or making available illegal drugs or contraband.

7        B. The municipal governing body may provide by ordinance for  
8 the arrest, fine, and imprisonment of vagrants.

9        SECTION 2.        NEW LAW        A new section of law to be codified  
10 in the Oklahoma Statutes as Section 22-123.1 of Title 11, unless  
11 there is created a duplication in numbering, reads as follows:

12        A. The proprietor or manager of any business has the right to  
13 contact law enforcement to remove a vagrant if such vagrant is  
14 within twelve (12) feet of any doorway of a retail or business  
15 establishment, even if such vagrant is on public property.

16        B. Law enforcement officers, upon arrival, shall determine  
17 whether the person accused of being a vagrant meets the definition  
18 established in Section 22-123 of this title, through personal  
19 observation or viewing of video footage. Upon determination that  
20 such individual meets the definition of a vagrant, the officers  
21 shall remove the vagrant to public property that is at least one-  
22 half (1/2) mile away from the location of the business which made  
23 the initial complaint. Such location for removal shall not be  
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within one-quarter (1/4) mile of a business, to prevent such vagrant  
from approaching another business.

SECTION 3. This act shall become effective November 1, 2024.

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