

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1115

 By: West (Rick) and **Olsen**

7 AS INTRODUCED

8 An Act relating to criminal procedure; defining term;
9 authorizing use of certain chemical treatment for
10 offenders who commit sexually violent offenses;
11 providing an exception; directing Department of
 Corrections to promulgate and adopt certain rules;
 providing for codification; and providing an
 effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 991a-4.2 of Title 22, unless
17 there is created a duplication in numbering, reads as follows:

18 A. As used in this section, a "sexually violent offense" means:

19 1. Rape, pursuant to Section 1114 of Title 21 of the Oklahoma
20 Statutes;

21 2. Rape by instrumentation, pursuant to Section 1111.1 of Title
22 21 of the Oklahoma Statutes;

1 3. Lewd or indecent proposals or acts as to a child under
2 sixteen (16) years of age, pursuant to Section 1123 of Title 21 of
3 the Oklahoma Statutes;

4 4. Solicitation of a minor, pursuant to subsection B of Section
5 1021 of Title 21 of the Oklahoma Statutes;

6 5. Procuring a minor to participate in pornography, pursuant to
7 Sections 1021.2 and 1021.3 of Title 21 of the Oklahoma Statutes; and

8 6. Forcible sodomy, pursuant to Section 888 of Title 21 of the
9 Oklahoma Statutes.

10 B. A person who has been convicted of a sexually violent
11 offense may, upon a first conviction and in addition to any other
12 punishment provided by law, be required to undergo
13 medroxyprogesterone acetate treatment as part of any conditions of
14 release. The treatment prescribed in this section may utilize an
15 approved pharmaceutical agent other than medroxyprogesterone
16 acetate. Upon a second or subsequent conviction of a sexually
17 violent offense, the person shall be required to undergo
18 medroxyprogesterone acetate or other approved pharmaceutical agent
19 treatment as a condition of release unless, after an appropriate
20 assessment, the court determines that the treatment would not be
21 effective. This section shall not apply if the person voluntarily
22 undergoes a permanent surgical alternative approved by the court.

23 C. The Department of Corrections shall promulgate and adopt
24 rules which provide for the initiation of medroxyprogesterone

1 acetate or other approved pharmaceutical agent treatment prior to
2 the parole or release of a person who has been convicted of a
3 sexually violent offense and who is required to undergo treatment as
4 a condition of release.

5 SECTION 2. This act shall become effective November 1, 2021.

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7 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
8 dated 02/25/2021 - DO PASS, As Coauthored.

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