

1 **SENATE FLOOR VERSION**

2 April 12, 2018

3 ENGROSSED HOUSE  
4 BILL NO. 3330

By: Sanders and Bennett (John)  
of the House

5 and

6 Griffin of the Senate

7  
8  
9 An Act relating to sex offenders; amending 57 O.S.  
10 2011, Section 590, as last amended by Section 3,  
Chapter 224, O.S.L. 2017 (57 O.S. Supp. 2017, Section  
11 590), which relates to the Sex Offenders Registration  
Act; modifying residency restriction to include  
12 family child care homes; updating language; and  
providing an effective date.

13  
14  
15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 57 O.S. 2011, Section 590, as last  
17 amended by Section 3, Chapter 224, O.S.L. 2017 (57 O.S. Supp. 2017,  
18 Section 590), is amended to read as follows:

19 Section 590. A. It is unlawful for any person registered  
20 pursuant to the Sex Offenders Registration Act to reside, either  
21 temporarily or permanently, within a two-thousand-foot radius of any  
22 public or private school site, educational institution, property or  
23 campsite used by an organization whose primary purpose is working  
24 with children, a playground or park that is established, operated or

1 supported in whole or in part by a homeowners' association or a  
2 city, town, county, state, federal or tribal government, or a  
3 licensed child care center or family child care home, as defined by  
4 ~~the Department of Human Services~~ in the Oklahoma Child Care  
5 Facilities Licensing Act. Establishment of a ~~day~~ licensed child  
6 care center, family child care home or park in the vicinity of the  
7 residence of a registered sex offender will not require the  
8 relocation of the sex offender or the sale of the property. On June  
9 7, 2006, the distance indicated in this section shall be measured  
10 from the nearest property line of the residence of the person to the  
11 nearest property line of the public or private school site,  
12 educational institution, property or campsite used by an  
13 organization whose primary purpose is working with children,  
14 playground, park, ~~or~~ licensed child care ~~facility~~ center or family  
15 child care home; provided, any nonprofit organization established  
16 and housing sex offenders prior to the effective date of this  
17 provision shall be allowed to continue its operation.

18 Nothing in this provision shall require any person to sell or  
19 otherwise dispose of any real estate or home acquired or owned prior  
20 to the conviction of the person as a sex offender.

21 B. It shall be unlawful for any person who is required to  
22 register pursuant to the Sex Offenders Registration Act for any  
23 offense in which a minor child was the victim to reside with a minor  
24 child or establish any other living accommodation where a minor

1 child resides. Provided, however, the person may reside with a  
2 minor child if the person is the parent, stepparent or grandparent  
3 of the minor child and the minor child was not the victim of the  
4 offense for which the person is required to register. Any person  
5 subject to the provisions of the Sex Offenders Registration Act who  
6 resides with a minor child as the parent, stepparent or grandparent  
7 of the minor child, provided the minor child was not the victim of  
8 the offense for which the person is required to register, must  
9 report to the statewide centralized hotline of the Department of  
10 Human Services the name and date of birth of any and all minor  
11 children residing in the same household and the offenses for which  
12 the person is required to register pursuant to the Sex Offenders  
13 Registration Act within three (3) days of intent to reside with a  
14 minor child.

15 Nothing in the provisions of this subsection shall prevent the  
16 Department of Human Services from conducting and completing a safety  
17 evaluation when a registered sex offender resides in the home of a  
18 minor child.

19 C. The provisions of this section shall not apply to any  
20 registered sex offender residing in a hospital or other facility  
21 certified or licensed by the State of Oklahoma to provide medical  
22 services.

23 D. Any person willfully violating the provisions of this  
24 section by:

1           1. Intentionally moving into any neighborhood or to any real  
2 estate or home within the prohibited distance; or

3           2. Intentionally moving into a residence with a minor child or  
4 establishing any other living accommodation where a minor child  
5 resides as specified in subsection B of this section,  
6 shall, upon conviction, be guilty of a felony punishable by a fine  
7 not to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment  
8 in the custody of the Department of Corrections for a term of not  
9 less than one (1) year nor more than three (3) years, or by both  
10 such fine and imprisonment. Any person convicted of a second or  
11 subsequent violation of this section shall be punished by a fine not  
12 to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment in  
13 the custody of the Department of Corrections for a term of not less  
14 than three (3) years, or by both such fine and imprisonment.

15           SECTION 2. This act shall become effective November 1, 2018.

16 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
17 April 12, 2018 - DO PASS

18  
19  
20  
21  
22  
23  
24