

# An Act

ENROLLED HOUSE  
BILL NO. 3330

By: Sanders and Bennett (John)  
of the House

and

Griffin of the Senate

An Act relating to sex offenders; amending 57 O.S. 2011, Section 590, as last amended by Section 3 of Enrolled House Bill No. 1124 of the 2nd Session of the 56th Oklahoma Legislature, which relates to the Sex Offenders Registration Act; modifying residency restriction to include family child care homes; updating language; and providing an effective date.

SUBJECT: Sex Offenders Registration Act

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

SECTION 1. AMENDATORY 57 O.S. 2011, Section 590, as last amended by Section 3 of Enrolled House Bill No. 1124 of the 2nd Session of the 56th Oklahoma Legislature, is amended to read as follows:

Section 590. A. It is unlawful for any person registered pursuant to the Sex Offenders Registration Act to reside, either temporarily or permanently, within a two-thousand-foot radius of any public or private school site, educational institution, property or campsite used by an organization whose primary purpose is working with children, a playground or park that is established, operated or supported in whole or in part by a homeowners' association or a city, town, county, state, federal or tribal government, a licensed child care center or family child care home as defined ~~by the Department of Human Services~~ in the Oklahoma Child Care Facilities Licensing Act or the residence of his or her victim. Establishment of a ~~day~~ licensed child care center, family child care home or park

in the vicinity of the residence of a registered sex offender will not require the relocation of the sex offender or the sale of the property. On June 7, 2006, the distance indicated in this section shall be measured from the nearest property line of the residence of the person to the nearest property line of the public or private school site, educational institution, property or campsite used by an organization whose primary purpose is working with children, playground, park, licensed child care ~~facility~~ center, family child care home or residence of his or her victim; provided, any nonprofit organization established and housing sex offenders prior to the effective date of this provision shall be allowed to continue its operation.

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

B. It shall be unlawful for any person who is required to register pursuant to the Sex Offenders Registration Act for any offense in which a minor child was the victim to reside with a minor child or establish any other living accommodation where a minor child resides. Provided, however, the person may reside with a minor child if the person is the parent, stepparent or grandparent of the minor child and the minor child was not the victim of the offense for which the person is required to register. Any person subject to the provisions of the Sex Offenders Registration Act who resides with a minor child as the parent, stepparent or grandparent of the minor child, provided the minor child was not the victim of the offense for which the person is required to register, must report to the statewide centralized hotline of the Department of Human Services the name and date of birth of any and all minor children residing in the same household and the offenses for which the person is required to register pursuant to the Sex Offenders Registration Act within three (3) days of intent to reside with a minor child.

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

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

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

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

2. Intentionally moving into a residence with a minor child or establishing any other living accommodation where a minor child resides as specified in subsection B of this section,

shall, upon conviction, be guilty of a felony punishable by a fine not to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than one (1) year nor more than three (3) years, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation of this section shall be punished by a fine not to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than three (3) years, or by both such fine and imprisonment.

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

Passed the House of Representatives the 20th day of February, 2018.

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Presiding Officer of the House  
of Representatives

Passed the Senate the 23rd day of April, 2018.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.  
By: \_\_\_\_\_