

An Act

ENROLLED SENATE
BILL NO. 1098

By: Treat and Allen of the
Senate

and

Worthen of the House

An Act relating to classification of felony crimes; creating the Criminal Justice Reclassification Coordination Council; stating duties of the Council; providing for membership of the Council; providing for election of a chair and other officers; directing chair of Council to call meetings; authorizing Council to meet as often as is required; requiring quorum to approve actions and recommendations; stating what constitutes a quorum; requiring meetings be subject to the Oklahoma Open Meetings Act; providing for travel reimbursement; directing Office of the Attorney General to provide administrative support; requiring Council to submit certain annual report to the Governor and Legislature; and providing for codification.

SUBJECT: Criminal Justice Reclassification Coordination Council

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1701 of Title 22, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Criminal Justice Reclassification Coordination Council, hereinafter referred to as

the "Council". The Council shall review and recommend the following:

1. The classification of all felonies under Oklahoma law into appropriate categories;
2. Appropriate sentence lengths for each class of felonies;
3. Appropriate enhanced sentences for crimes committed after offenders have been convicted of other crimes; and
4. Other appropriate changes that will improve the criminal justice system in Oklahoma and ensure the public safety of its citizens.

The recommendations of the Council shall be intended to reduce or hold neutral the prison population. The Council shall consider fiscal impact statements of all recommendations of the Council.

B. The Council shall be comprised of twenty-two (22) members to be selected as follows:

1. The Attorney General for the State of Oklahoma, or designee;
2. A district attorney for a county or district with a population of five hundred thousand (500,000) or more as determined by the latest Federal Decennial Census, to be selected by the Oklahoma District Attorneys Council, or designee;
3. A district attorney for a county or district with a population of five hundred thousand (500,000) or less as determined by the latest Federal Decennial Census, to be selected by the Oklahoma District Attorneys Council, or designee;
4. A chief of police of a municipality with a population of three hundred fifty thousand (350,000) or more as determined by the latest Federal Decennial Census, to be selected by the Oklahoma Association of Chiefs of Police, or designee;
5. A chief of police of a municipality with a population of three hundred fifty thousand (350,000) or less as determined by the

latest Federal Decennial Census, to be selected by the Oklahoma Association of Chiefs of Police, or designee;

6. A sheriff of a county with a population of fifty thousand (50,000) or more as determined by the latest Federal Decennial Census, to be selected by the Oklahoma Sheriffs' Association, or designee;

7. A sheriff of a county with a population of fifty thousand (50,000) or less as determined by the latest Federal Decennial Census, to be selected by the Oklahoma Sheriffs' Association, or designee;

8. The Director of the Oklahoma Department of Corrections, or designee;

9. A public defender of a county with a population of three hundred fifty thousand (350,000) or more as determined by the latest Federal Decennial Census, to be selected by the Administrative Director of the Courts, or designee;

10. The Executive Director of the Oklahoma Indigent Defense System, or designee;

11. The Commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services, or designee;

12. The Director of the Oklahoma State Bureau of Investigation, or designee;

13. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, or designee;

14. The Administrative Director of the Courts, or designee;

15. The Executive Director of the Oklahoma Pardon and Parole Board, or designee;

16. The Director of the Oklahoma Coalition on Domestic Violence and Sexual Assault, or designee;

17. The president of the State Chamber of Commerce, or designee;

18. The president of a local chamber of commerce, to be appointed by the Governor, or designee;

19. The Governor of the State of Oklahoma, or designee;

20. The President Pro Tempore of the Oklahoma State Senate, or designee;

21. The Speaker of the Oklahoma House of Representatives, or designee; and

22. A retired district judge, as selected by the Presiding Judge of the Court of Criminal Appeals, or designee.

C. The chair of the Council shall be elected by majority vote of the Council members attending the initial meeting. The Council shall elect any other officers during the first meeting and upon a vacancy in any office.

D. The chair shall call the first meeting and all subsequent meetings shall be made at the call of the chair. The Council may meet as often as may be required in order to perform the duties imposed upon it.

E. A quorum of the Council shall be required to approve any final action and recommendation of the Council. For purposes of this section, eleven members of the Council shall constitute a quorum.

F. The meetings of the Council shall be subject to the Oklahoma Open Meetings Act.

G. The members of the Council shall receive no compensation, but travel reimbursement may be provided by their respective organizations within the limits provided for state employees in the Oklahoma State Travel Reimbursement Act.

H. Administrative support for the Council shall be provided by the Office of the Attorney General.

I. The Council shall submit a report of its findings and recommendations annually by December 31, 2018, and the same day each year thereafter to the Governor, the President Pro Tempore of the Oklahoma State Senate and the Speaker of the Oklahoma House of Representatives.

Passed the Senate the 2nd day of May, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the 3rd day of May, 2018.

Presiding Officer of the House
of Representatives

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: _____