

1 **SENATE FLOOR VERSION**

2 February 10, 2020

3 **AS AMENDED**

4 SENATE BILL NO. 1202

By: Pemberton of the Senate

and

Frix of the House

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9 **[Sex Offenders Registration Act - requirement**
10 **registration - effective date]**

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

13 SECTION 1. AMENDATORY 57 O.S. 2011, Section 582, as last
14 amended by Section 2, Chapter 220, O.S.L. 2019 (57 O.S. Supp. 2019,
15 Section 582), is amended to read as follows:

16 Section 582. A. The provisions of the Sex Offenders
17 Registration Act shall apply to any person residing, working or
18 attending school within the State of Oklahoma who, after November 1,
19 1989, has been convicted, whether upon a verdict or plea of guilty
20 or upon a plea of nolo contendere, or received a suspended sentence
21 or any probationary term, or is currently serving a sentence or any
22 form of probation or parole for a crime or an attempt to commit a
23 crime provided for in Section 843.5 of Title 21 of the Oklahoma
24 Statutes, if the offense involved sexual abuse or sexual

1 exploitation as those terms are defined in Section 1-1-105 of Title
2 10A of the Oklahoma Statutes, Section 681, if the offense involved
3 sexual assault, 741, if the offense involved sexual abuse or sexual
4 exploitation, Section 748, if the offense involved human trafficking
5 for commercial sex, Section 843.1, if the offense involved sexual
6 abuse or sexual exploitation, Section 852.1, if the offense involved
7 sexual abuse of a child, 856, if the offense involved child
8 prostitution or human trafficking for commercial sex, 865 et seq.,
9 885, 886, 888, 891, if the offense involved sexual abuse or sexual
10 exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if the offense
11 involved child prostitution, 1040.8, if the offense involved child
12 pornography, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1, 1114
13 or 1123 of Title 21 of the Oklahoma Statutes.

14 B. The provisions of the Sex Offenders Registration Act shall
15 apply to any person who after November 1, 1989, resides, works or
16 attends school within the State of Oklahoma and who has been
17 convicted or received a suspended sentence at any time in any court
18 of another state, the District of Columbia, Puerto Rico, Guam,
19 American Samoa, the Northern Mariana Islands and the United States
20 Virgin Islands, a federal court, an Indian tribal court, a military
21 court, or a court of a foreign country for a crime, attempted crime
22 or a conspiracy to commit a crime which, if committed or attempted
23 in this state, would be a crime, an attempt to commit a crime or a
24 conspiracy to commit a crime provided for in any of ~~said~~ the laws

1 listed in subsection A of this section. Any person who has been
2 convicted in any court of another state and ordered to register as a
3 sex offender in the state of conviction who resides within the State
4 of Oklahoma shall be required to register as a sex offender in the
5 State of Oklahoma. It shall be the responsibility of the Department
6 of Corrections to investigate offenders' convictions and subsequent
7 reporting requirements upon notification to the Department.

8 C. The provisions of the Sex Offenders Registration Act shall
9 apply to any person who resides, works or attends school within the
10 State of Oklahoma and who has received a deferred judgment at any
11 time in any court of another state, the District of Columbia, Puerto
12 Rico, Guam, American Samoa, the Northern Mariana Islands and the
13 United States Virgin Islands, a federal court, an Indian tribal
14 court, a military court, or a court of a foreign country for a
15 crime, attempted crime or a conspiracy to commit a crime which, if
16 committed or attempted or conspired to be committed in this state,
17 would be a crime, an attempt to commit a crime or a conspiracy to
18 commit a crime provided for in Section 843.5 of Title 21 of the
19 Oklahoma Statutes if the offense involved sexual abuse or sexual
20 exploitation as those terms are defined in Section 1-1-105 of Title
21 10A of the Oklahoma Statutes, Section 681, if the offense involved
22 sexual assault, 741, if the offense involved sexual abuse or sexual
23 exploitation, Section 748, if the offense involved human trafficking
24 for commercial sex, Section 843.1, if the offense involved sexual

1 abuse or sexual exploitation, Section 852.1, if the offense involved
2 sexual abuse of a child, 856, if the offense involved child
3 prostitution or human trafficking for commercial sex, 865 et seq.,
4 885, 886, 888, 891, if the offense involved sexual abuse or sexual
5 exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if the offense
6 involved child prostitution, 1040.8, if the offense involved child
7 pornography, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1, 1114
8 or 1123 of Title 21 of the Oklahoma Statutes. The provisions of the
9 Sex Offenders Registration Act shall not apply to any such person
10 while the person is incarcerated in a maximum or medium correctional
11 institution of the Department of Corrections.

12 D. On ~~the effective date of this act~~ November 1, 2002, any
13 person registered as a sex offender pursuant to Section 741 of Title
14 21 of the Oklahoma Statutes shall be summarily removed from the Sex
15 Offender Registry by the Department of Corrections and all law
16 enforcement agencies of any political subdivision of this state,
17 unless the offense involved sexual abuse or sexual exploitation.

18 E. The provisions of the Sex Offenders Registration Act shall
19 not apply to any such person who has received a criminal history
20 records expungement for a conviction in another state for a crime or
21 attempted crime which, if committed or attempted in this state,
22 would be a crime or an attempt to commit a crime provided for in any
23 ~~said~~ laws listed in subsection A of this section.

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SECTION 2. This act shall become effective November 1, 2020.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 10, 2020 - DO PASS AS AMENDED

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