

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1202

By: Pemberton

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5  
6 AS INTRODUCED

7 An Act relating to the Sex Offenders Registration  
8 Act; amending 57 O.S. 2011, Section 582, as last  
9 amended by Section 2, Chapter 220, O.S.L. 2019 (57  
10 O.S. Supp. 2019, Section 582), which relates to  
11 persons and crimes to which act applies; modifying  
12 requirement registration; requiring certain  
13 investigation; updating statutory language; and  
14 providing an effective date.

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

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

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

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

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

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

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

1 for commercial sex, Section 843.1, if the offense involved sexual  
2 abuse or sexual exploitation, Section 852.1, if the offense involved  
3 sexual abuse of a child, 856, if the offense involved child  
4 prostitution or human trafficking for commercial sex, 865 et seq.,  
5 885, 886, 888, 891, if the offense involved sexual abuse or sexual  
6 exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if the offense  
7 involved child prostitution, 1040.8, if the offense involved child  
8 pornography, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1, 1114  
9 or 1123 of Title 21 of the Oklahoma Statutes. The provisions of the  
10 Sex Offenders Registration Act shall not apply to any such person  
11 while the person is incarcerated in a maximum or medium correctional  
12 institution of the Department of Corrections.

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

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

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

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