

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
FOR
4 SENATE BILL 484

By: Standridge and Hamilton

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7 COMMITTEE SUBSTITUTE

8 An Act relating to municipalities; defining terms;
9 requiring certain notice; prohibiting approval of
certain facility within certain locations; providing
certain exceptions; clarifying intent; providing for
codification; and declaring an emergency.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 43-116 of Title 11, unless there
16 is created a duplication in numbering, reads as follows:

17 A. As used in this section:

18 1. "Domestic violence shelter" means a facility providing
19 temporary housing and services for domestic violence victims;

20 2. "Domestic violence victim" means any person who:

21 a. does not have access to normal accommodations as a
22 result of violence or the threat of violence from a
23 cohabitant, and

b. otherwise meets the definition of a homeless person, as provided in paragraph 4 of this subsection;

3 3. "Entity" means any individual, corporation, company, firm,
4 partnership, association, trust, state agency, government
5 instrumentality or agency, institution, county, incorporated
6 municipality, municipal authority, trust in which any governmental
7 entity is a beneficiary, venture, or other legal entity however
8 organized;

4. "Homeless person" means any person who:

- a. lacks a fixed, regular, and adequate nighttime residence,

b. has as a primary nighttime residence a publicly or privately operated shelter designed to provide temporary living accommodations, or

c. has as a primary nighttime residence a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for a human being;

18 5. "Homeless shelter" means a facility providing temporary
19 housing and services for homeless persons;

6. "Unaccompanied minor" means any minor who:

- a. is not in the physical custody of a parent or guardian, and

b. otherwise meets the definition of a homeless person, as provided in paragraph 4 of this subsection; and

1 7. "Youth shelter" means a facility providing temporary housing
2 and services for unaccompanied minors and includes, but is not
3 limited to, any such facility licensed or operated by the Department
4 of Human Services or the Office of Juvenile Affairs as a group home,
5 child care facility, or children's shelter.

6 B. In order to preserve public safety, the entity proposing any
7 zoning request to change or allow for the creation of a homeless
8 shelter in a municipality of this state with a population less than
9 three hundred thousand (300,000) according to the latest Federal
10 Decennial Census, in addition to the notice and public hearing
11 requirements provided for in Section 43-104 of Title 11 of the
12 Oklahoma Statutes, shall mail a written notice by regular first-
13 class mail within thirty (30) days of the hearing to all real
14 property owners at their last known address within one thousand
15 (1,000) feet of the proposed location of the homeless shelter, and
16 shall be responsible for all costs incurred in mailing this notice.

17 The notice shall contain the:

- 18 1. Legal description of the proposed property and the street
19 address or approximate location within the municipality;
- 20 2. Existing zoning requirements of the property and the
21 description of the change of zoning sought by the applicant; and
- 22 3. Date, time, and place of the public hearing.

1 In addition to the written notice requirements, notice of the
2 hearing shall be posted on the affected property at least twenty
3 (20) days before the date of the hearing.

4 C. The municipal governing body, municipal zoning commission,
5 or any other such body with zoning authority of the municipality
6 where the proposed homeless shelter is located, provided the
7 municipality meets the population requirements in subsection B of
8 this section, shall not approve any proposed homeless shelter if
9 such shelter would be located within three thousand (3,000) feet of
10 any school, school property, public library, municipal park, child
11 or adult day care facility, or prekindergarten facility.

12 D. Any homeless shelter that was properly zoned and approved at
13 its location on the effective date of this act shall be permitted to
14 continue operating and not be subject to relocation or closure. If
15 any school, school property, public library, municipal park, child
16 or adult day care facility, or prekindergarten facility is
17 established within three thousand (3,000) feet of any homeless
18 shelter after such homeless shelter has been properly zoned and
19 approved, the provisions of this section shall not be a cause for
20 the revocation or closure of such homeless shelter. Any change of
21 use from a homeless shelter at a location that was properly zoned
22 and approved on the effective date of this act shall subject such
23 location to the provisions of this act.

1 E. The provisions of this section shall not be construed to
2 apply to domestic violence shelters or youth shelters.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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