

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   ENGROSSED SENATE  
5                   BILL NO. 595

6                   By: Weaver of the Senate

7                   and

8                   Hardin of the House

9                   An Act relating to jail standards; amending 74 O.S.  
10                  2021, Section 192, as amended by Section 2, Chapter  
11                  35, O.S.L. 2023 (74 O.S. Supp. 2024, Section 192),  
12                  which relates to the inspection of city and county  
13                  jails; creating the Oklahoma Jail Standards Act;  
14                  providing short title; authorizing the State  
15                  Commissioner of Health to promulgate rules to  
16                  implement jail standards; directing all detention and  
17                  lockup facilities to comply with certain standards;  
18                  clarifying jail inspection requirement; removing  
19                  certain jail standards and procedures; making jail  
20                  standards subject to certain exceptions and  
21                  limitations; defining terms; providing list of  
22                  standards when facilities develop policies;  
23                  specifying standards for detention facilities;  
24                  directing facility administrators to develop and  
                      implement certain written policies for detention  
                      facilities and lockup facilities; directing detention  
                      facilities to have certain written policies subject  
                      to certain act; requiring notification to the State  
                      Department of Health of certain incidents; providing  
                      guidelines and procedures for the movement, security,  
                      and supervision of inmates; directing facility  
                      administrators to develop and implement written  
                      policies for classifying and segregating inmates;  
                      directing facility administrators to develop and  
                      implement written policies for emergency medical and  
                      health care services; providing for the utilization  
                      of certain medical personnel; authorizing the  
                      deduction of certain monies for medical payments;  
                      specifying standards for the incarceration or holding

1           of juveniles; amending 57 O.S. 2021, Section 37,  
2           which relates to maximum capacity of correctional  
3           facilities; modifying statutory references; amending  
4           57 O.S. 2021, Sections 47, 52, 53, 55, and 57, as  
5           amended by Section 1, Chapter 35, O.S.L. 2023 (57  
6           O.S. Supp. 2024, Section 57), which relate to the  
7           operation of county jails by county sheriffs; making  
8           language gender neutral; removing obsolete language;  
9           modifying statutory references; amending 63 O.S.  
10          2021, Section 472, which relates to conditions of  
11          municipal jails; modifying statutory reference;  
12          amending 69 O.S. 2021, Section 617, which relates to  
13          the food and medical attention for inmates working  
14          upon public roads; modifying statutory reference;  
15          amending 74 O.S. 2021, Section 193, which relates to  
16          inspections of jail premises by the State Department  
17          of Health; modifying statutory reference; providing  
18          for codification; and declaring an emergency.

19  
20  
21  
22  
23  
24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1           SECTION 1.       AMENDATORY       74 O.S. 2021, Section 192, as  
2           amended by Section 2, Chapter 35, O.S.L. 2023 (74 O.S. Supp. 2024,  
3           Section 192), is amended to read as follows:

4           Section 192. A. This act shall be known and may be cited as  
5           the "Oklahoma Jail Standards Act". The State Commissioner of Health  
6           shall promulgate rules to implement the provisions of the Oklahoma  
7           Jail Standards Act.

8           B. Except as provided in this section, all detention facilities  
9           and lockup facilities shall operate in compliance with the  
10          provisions of the Oklahoma Jail Standards Act.

11          C. The State Department of Health shall inspect at least once  
12          each year all ~~city and county jails~~ detention facilities to ensure

1 compliance with the standards promulgated pursuant to the provisions  
2 of this section set forth in the Oklahoma Jail Standards Act. The  
3 standards shall provide provision for:

4 1. Uniform admission and release procedures;

5 2. Uniform, safe, and sensible security measures;

6 3. Proper, fit, and sanitary conditions;

7 4. Inmates to be fed a wholesome and adequate diet;

8 5. Inmates to have adequate clothing and a usable bed. Such

9 facility shall have showers with hot and cold running water,

10 toilets, and water basins provided in the ratio of not less than one

11 to every twenty prisoners. Counties may build barrack-style jails,

12 single or double cell, to meet the security needs of the county for

13 minimum security prisoners. These jails shall meet all the minimum

14 requirements set forth in this section or any other provision of

15 law. Except as otherwise provided in this section, all facilities

16 under this section shall have showers with hot and cold running

17 water, toilets and water basins provided in the ratio of not less

18 than one to every twenty prisoners. Counties may also build tent

19 jails, which shall be temporary in nature, to meet the security

20 needs of the county for minimum security prisoners. The temporary

21 tent jails shall not be required to meet the minimum requirements

22 set forth in this section or any other provision of law. The State

23 Board of Health shall promulgate minimum standards for temporary

24 tent jails, which standards shall be designed to specifically

1 address and take into consideration the temporary status of the  
2 inmate housing needs of the county. As used in this paragraph,  
3 "barrack style" means a single designated space within a city or  
4 county jail facility for the purpose of housing three or more  
5 inmates;

6 6. Inmates to be properly advised of rules of the facility in  
7 which they are detained;

8 7. Staff members to receive training in order to assist them in  
9 performing their assigned tasks, such training to be provided  
10 through a program approved by the State Department of Health. All  
11 employees who work in direct contact with inmates after the first  
12 year of employment shall receive, at a minimum, four (4) hours'  
13 review of material as required by the State Department of Health and  
14 at a maximum, eight (8) hours of detention officer training per year  
15 after the first year of employment;

16 8. Proper steps to be taken to ensure the safety and  
17 segregation of women, the infirm, and minors;

18 9. Adequate medical care, provided such medical care shall be  
19 limited to illnesses or injuries incurred during the time beginning  
20 with the arrest and throughout the time of incarceration. This  
21 shall not prevent an inmate from applying for assistance and  
22 receiving assistance, provided the inmate meets or exceeds  
23 established requirements;

1       10. No person to be confined without twenty-four-hour  
2 supervision; and

3       11. At least one designated exit in the facility that will  
4 permit prompt evacuation of inmates and staff in an emergency. A  
5 facility in existence on November 1, 1985, shall not be required to  
6 construct additional exits if it has one exit which is deemed  
7 adequate by the State Fire Marshal. Inspections shall be limited to  
8 the specific requirements set forth in the Oklahoma Jail Standards  
9 Act or rules promulgated pursuant thereto.

10      D. In the event such inspection shall reveal to the State  
11 Department of Health the commission of a crime or crimes incidental  
12 to the operations of a city or county jail detention facility, it  
13 shall be the duty of the Department to initiate a complaint with the  
14 appropriate district attorney, and to cooperate in the prosecution  
15 of the alleged offender in the event an information is filed  
16 pursuant to such complaint.

17      B. E. The provisions of the Oklahoma Jail Standards Act shall  
18 be subject to the following exceptions and limitations:

19       1. Any county, city, or town may operate a holding facility for  
20 the incarceration of persons under arrest who are to be charged with  
21 a crime, which holding facility shall not be required to meet the  
22 standards established in this section for jails the Oklahoma Jail  
23 Standards Act, as long as no person is held therein for a period  
24 longer than twelve (12) hours and as long as an employee of the

1 county, city, or town is available to render aid to or to release  
2 any person so confined in the event aid or release is required  
3 because of a health or life-endangering emergency.;

4 ~~C.~~ 2. Notwithstanding any other provision of law or rule, any  
5 county or municipality that operates a ~~jail~~ detention facility which  
6 houses forty or fewer prisoners at all times which:

7 1. ~~Provides~~

8 a. provides twenty-four-hour supervision of prisoner  
9 activity that is conducted either by direct  
10 observation or electronically by ~~closed-circuit~~  
11 ~~television; video surveillance,~~ and

12 2. ~~Provides~~

13 b. provides an intercommunication system that terminates  
14 in a location that is staffed twenty-four (24) hours a  
15 day and is capable of providing an emergency response,  
16 shall not be required to have more than one detention officer ~~or~~  
17 ~~dispatcher~~ on-site to provide for the security, custody, and  
18 supervision of prisoners. Staff shall be available to perform  
19 sensitive functions and procedures as necessary to accommodate  
20 inmate gender as required by law;

21 ~~D.~~ 3. Any county or municipality that operates a ~~jail~~ detention  
22 facility which houses more than forty and less than seventy-five  
23 prisoners at all times which:

24 1. ~~Provides~~

1           a. provides twenty-four-hour supervision of prisoner  
2                 activity that is conducted either by direct  
3                 observation or electronically by ~~closed-circuit~~  
4                 television; video surveillance, and

5           2. Provides

6           b. provides an intercommunication system that terminates  
7                 in a location that is staffed twenty-four (24) hours a  
8                 day and is capable of providing an emergency response,  
9                 shall be required to have more than one detention officer or one  
10                detention officer and at least one other basic CLEET-certified  
11                person on the same premises as the jail detention facility to  
12                provide for the security, custody, and supervision of prisoners.

13           Staff shall be available to perform sensitive functions and  
14           procedures as necessary to accommodate inmate gender as required by  
15           law;

16           Within ninety (90) days after June 9, 1994, the State Board of  
17           Health shall promulgate new rules governing square footage  
18           requirements, double celling of prisoners and the ratio of showers,  
19           toilets, and water basins to prisoners. The rules so promulgated  
20           shall be governed by the guidelines enumerated in this section, and  
21           shall be designed to carry out the intent and purpose of the  
22           guidelines. Each city or county jail facility in this state shall  
23           be in compliance with the rules so promulgated on or before January  
24           1, 1995.

1       E. 4. A county, municipality, or public trust that operates a  
2       detention facility may request a waiver, including a waiver for a  
3       temporary emergency resulting from a natural or man-made disaster,  
4       from provisions of the Oklahoma Jail Standards Act or rules  
5       promulgated pursuant thereto upon a showing that application of such  
6       provision would impose undue hardship upon the county, municipality,  
7       or public trust, or upon the inmates held at such facility. All  
8       requests shall be filed with the Department and shall include  
9       justification demonstrating the undue hardship. The waiver  
10      application shall also include a plan for the housing and care of  
11      detention facility inmates for the duration of the waiver and  
12      identification of all specific provisions of the Oklahoma Jail  
13      Standards Act requested to be waived. The Department may grant the  
14      waiver request in whole or in part and may, as a condition of  
15      granting the waiver, require the county, municipality, or public  
16      trust to submit a plan and timetable for compliance with the  
17      standards. The Commissioner shall promulgate rules to implement the  
18      waiver process established by this paragraph; and

19       5. Any detention facility that is constructed or substantially  
20      remodeled shall be required to be in compliance with the  
21      requirements and standards in effect at the time of such  
22      construction or remodeling. Plans for the construction of a new  
23      detention facility or the substantial remodeling of an existing

1 | detention facility shall be submitted to the Department for review  
2 | and approval.

3 | F. The ~~State~~ Department ~~of Health~~ shall employ inspectors and  
4 | other personnel as necessary and specifically authorized by the  
5 | Legislature in order to carry out the provisions of ~~this section the~~  
6 | Oklahoma Jail Standards Act and may rent or purchase premises or  
7 | equipment in order to assist inspectors in the performance of their  
8 | functions.

9 | SECTION 2. NEW LAW A new section of law to be codified  
10 | in the Oklahoma Statutes as Section 192.1 of Title 74, unless there  
11 | is created a duplication in numbering, reads as follows:

12 | As used in the Oklahoma Jail Standards Act:

13 | 1. "Available" means that the subject individual is either on  
14 | site or on the premises;

15 | 2. "Barrack-style" means a single designated space within a  
16 | detention facility for the purpose of housing three or more inmates;

17 | 3. "Bodily search" means any invasive examination by hand of an  
18 | inmate or clothing of an inmate. Bodily searches shall not include  
19 | pat-downs;

20 | 4. "Central control" means the central point within the  
21 | facility where security activities are monitored and controlled;

22 | 5. "Contraband" means anything not authorized to be in the  
23 | possession of an inmate;

1       6. "Dayroom" means a space for activities that is situated  
2 immediately adjacent to the sleeping area of inmates and is  
3 separated from the sleeping area by a wall;

4       7. "Department" means the State Department of Health;

5       8. "Detention facility" means a facility that may hold a person  
6 for an indefinite period of time including, but not limited to, a  
7 city or county jail;

8       9. "Detention officer" means a person whose training,  
9 education, or experience specifically qualifies him or her to  
10 perform the duties indicated in the job description and the Oklahoma  
11 Jail Standards Act or a person who holds a certification accorded  
12 pursuant to the provisions of Section 3311 of Title 70 of the  
13 Oklahoma Statutes. The individual performing the duties shall be  
14 trained in appropriate laws, codes, standards, policies, and  
15 procedures;

16       10. "Direct supervision" means the detention officer is in  
17 direct contact with inmates and is in a position to constantly  
18 monitor behaviors and interact with inmates;

19       11. "Emergency care" means medical or surgical care necessary  
20 to treat the sudden onset of a potentially life-threatening or limb-  
21 threatening condition;

22       12. "Facility administrator" means a sheriff, police chief,  
23 city manager, private contractor, or a designee thereof, charged  
24

1 with maintaining and operating a lockup facility or detention  
2 facility;

3       13. "Fixed sleeping surface" refers to a stationary or  
4 installed bed or slab designed to support a mattress or some other  
5 comparable padding on which an inmate can lie down off of the floor;

6       14. "Grievance" means a circumstance or action considered  
7 unjust;

8       15. "Holding facility" means a facility that shall hold persons  
9 under arrest who are charged with a crime for a period of no longer  
10 than twelve (12) hours;

11       16. "Hot meal" means a measure of food served and eaten at one  
12 sitting, prepared and served at a palatable temperature range of one  
13 hundred ten degrees Fahrenheit (110° F) to one hundred twenty  
14 degrees Fahrenheit (120° F);

15       17. "Inmate" means any individual, whether in pretrial,  
16 sentenced, or unsentenced status, who is confined in a detention  
17 facility;

18       18. "Juvenile" means a person who is subject solely to the  
19 jurisdiction of a juvenile court or who is subject to the provisions  
20 of Section 2-5-205 of Title 10A of the Oklahoma Statutes;

21       19. "Last locked/secure door" means the last secure barrier  
22 between staff and an inmate;

1       20. "Life-endangering situation" includes, but is not limited  
2 to, a suicide attempt or obvious serious injury or illness, which in  
3 the evaluation of the staff requires an immediate response;

4       21. "Life-threatening" means a situation in which life-saving  
5 measures are taken;

6       22. "Living area" means those areas of a detention facility  
7 utilized for the day-to-day housing and activities of inmates.

8 These areas do not include reception and release areas and special-  
9 use cells such as sobering, safety, and holding or staging cells  
10 normally located in receiving areas;

11       23. "Lockup facility" means a facility that may hold a person  
12 no longer than ten (10) days. Such a facility may be operated by a  
13 municipality for the temporary detention of persons awaiting  
14 arraignment. Persons who require detention for a period longer than  
15 ten (10) days shall be transferred to a detention facility;

16       24. "Nonsecure areas" means those areas where a youth or  
17 juvenile is in the custody of law enforcement and may not be able to  
18 leave or depart from the presence of law enforcement, yet the youth  
19 or juvenile is not detained in a facility which limits movement;

20       25. "On site" means a detention officer is physically present  
21 within the detention facility;

22       26. "On the premises" means a detention officer is physically  
23 present within the structure incorporating the detention facility,  
24 or within a building or structure sharing the same realty or located

1 on realty that is contiguous to the realty upon which the structure  
2 incorporating the detention facility is located, provided that such  
3 remote building or structure is not located farther than five  
4 hundred (500) feet from the detention facility;

5       27. "Pat-down" means a noninvasive search of an inmate by hand  
6 performed by lightly skimming the exterior surface of the clothing  
7 covering the legs and torso;

8       28. "Physician or other licensed medical personnel" means a  
9 psychiatrist, medical doctor, osteopathic physician, physician  
10 assistant, Registered Nurse (RN), Licensed Practical Nurse (LPN),  
11 emergency medical technician at the paramedic level, or Clinical  
12 Nurse Specialist (CNS);

13       29. "Sensitive functions and procedures" means any bodily  
14 search or the visual supervision of any activity requiring an inmate  
15 to partially or fully disrobe;

16       30. "Safety check" means direct, visual observation performed  
17 at random intervals within time frames prescribed in the regulations  
18 pursuant to this act to provide for the health and welfare of  
19 inmates;

20       31. "Sight contact" means clear visibility within close  
21 proximity;

22       32. "Sound contact" means direct oral communication;

1       33. "Substantial remodeling" means remodeling for which the  
2 cost to repair is at least fifty percent (50%) of the cost to  
3 replace the facility;

4       34. "Sustained contact" means sight or sound contact that is  
5 not brief and inadvertent;

6       35. "Temporary sleeping surface" means any appropriate item  
7 used in overcrowding situations on which an inmate can lie down and  
8 be kept off of the floor on an interim basis;

9       36. "Waiver" is a long-term deviation from a standard in  
10 extenuating circumstances which are not likely to be overcome in a  
11 reasonable period of time; and

12       37. "Variance" is a temporary deviation from a standard in  
13 extenuating circumstances which can be overcome in a reasonable  
14 period of time.

15       SECTION 3.       NEW LAW       A new section of law to be codified  
16 in the Oklahoma Statutes as Section 192.2 of Title 74, unless there  
17 is created a duplication in numbering, reads as follows:

18       Policies developed based on requirements in this act shall  
19 identify the following:

- 20       1. The rule or law addressed by the policy;
- 21       2. The staff position or personnel responsible for  
22 implementation and oversight of the policy;
- 23       3. The actions to be taken or procedures to be followed by  
24 facility personnel;

1       4. The staff position or personnel responsible for reviewing  
2 the policy;

3       5. A schedule for reviewing the policy that identifies the  
4 frequency at which the policy will be reviewed; and

5       6. A signature page to capture the signature and date that the  
6 responsible official adopted the policy and the dates that review of  
7 the policy were completed.

8       SECTION 4.       NEW LAW       A new section of law to be codified  
9 in the Oklahoma Statutes as Section 192.3 of Title 74, unless there  
10 is created a duplication in numbering, reads as follows:

11      A. The standards for detention facilities shall provide for:

12      1. Uniform admission and release procedures;

13      2. Uniform, safe, and sensible security measures;

14      3. Proper, fit, and sanitary conditions;

15      4. Inmates to be fed a wholesome and adequate diet;

16      5. Inmates to have adequate clothing and a usable bed.

17 Such detention facilities shall have showers with hot and cold  
18 running water, toilets, and water basins provided in the ratio of  
19 not less than one to every twenty prisoners. Counties may build  
20 barrack-style jails, with single or double cells, to meet the  
21 security needs of the county for minimum security prisoners. These  
22 jails shall meet all the minimum requirements set forth in this  
23 section or any other provision of law. Counties may also build tent  
24 jails, which shall be temporary in nature, to meet the security

1 needs of the county for minimum security prisoners. The temporary  
2 tent jails shall not be required to meet the minimum requirements  
3 set forth in this section or any other provision of law. The State  
4 Commissioner of Health shall promulgate minimum standards for  
5 temporary tent jails, which standards shall be designed to  
6 specifically address and take into consideration the temporary  
7 status of the inmate housing needs of the county;

8       6. Inmates to be properly advised of rules of the detention  
9 facility in which they are detained;

10      7. Staff members to receive training in order to assist them in  
11 performing their assigned tasks, such training to be provided  
12 through a program approved by the State Department of Health;

13      8. All employees, including the detention facility  
14 administrator and all supervisors, whose primary responsibilities  
15 include supervision of inmates to receive at least twenty-four (24)  
16 hours of training during the first year of their employment that  
17 covers at least the following:

- 18           a. security procedures,
- 19           b. supervision of inmates,
- 20           c. report writing and documentation,
- 21           d. inmate rules and regulations,
- 22           e. grievance and disciplinary procedures,
- 23           f. rights and responsibilities of inmates,
- 24           g. emergency procedures, and

1                   h. first aid and cardiopulmonary resuscitation;

2         9. All employees who work in direct contact with inmates to  
3 receive after the first year of employment at least four (4) hours  
4 of review of material as required by the State Department of Health  
5 and at maximum eight (8) hours of detention officer training per  
6 year to include renewal training as required for first aid and  
7 cardiopulmonary resuscitation skills after the first year of  
8 employment;

9         10. A documentation log to be maintained by the administrator  
10 to record the courses completed by each employee for his or her  
11 initial and annual training and include test results;

12         11. Proper steps to be taken to ensure the safety and  
13 segregation of women, the infirm, and minors;

14         12. Adequate medical care, provided such medical care shall be  
15 limited to illnesses or injuries incurred during the time beginning  
16 with the arrest and throughout the time of incarceration. This  
17 shall not prevent an inmate from applying for assistance and  
18 receiving assistance, provided the inmate meets or exceeds  
19 established requirements;

20         13. No person to be confined without twenty-four-hour  
21 supervision; and

22         14. At least one designated exit in the facility that will  
23 permit prompt evacuation of inmates and staff in an emergency.

1       B. All cells and living areas shall have at least forty (40)  
2 square feet of floor space for the initial inmate and at least  
3 twenty (20) square feet of floor space for each additional inmate  
4 occupying the same cell. Inmates may be provided temporary sleeping  
5 surfaces during times of overcrowding.

6       C. The facility shall have at least one special-purpose cell to  
7 provide for the temporary detention of inmates under the influence  
8 of alcohol or dangerous substances or for persons who are  
9 uncontrollably violent or self-destructive. These cells shall be  
10 designed to prevent injury to the inmate.

11      D. The housing and activity areas shall provide at least the  
12 following:

- 13       1. Lighting of at least twenty (20) foot-candles;
- 14       2. A shower with non-skid floors; and
- 15       3. Sufficient floor drains to ensure a sanitary facility.

16      E. There shall be designated and marked emergency evacuation  
17 exits that comply with the requirements of the State Fire Marshal  
18 and that permit prompt evacuation of inmates and staff in an  
19 emergency.

20      F. A county may provide a dormitory-style detention facility to  
21 accommodate up to medium-security level inmates. It shall be  
22 equipped with washbasins, toilets, and showers with hot and cold  
23 running water at a ratio of at least one washbasin, one toilet, and

1      one shower to every twenty inmates. A dormitory-style detention  
2      facility shall meet all requirements for a detention facility.

3            G. A county may provide a temporary tent detention facility  
4      subject to the approval of the Department.

5            H. Inmates may be provided temporary sleeping surfaces during  
6      times of overcrowding. A fire-safe cot and industry products such  
7      as those referred to as "boats" are examples of suitable temporary  
8      sleeping surfaces that ensure the mattress does not have direct  
9      contact with the floor. These items do not meet the requirement to  
10     provide a fixed sleeping surface for each inmate.

11        SECTION 5.        NEW LAW        A new section of law to be codified  
12      in the Oklahoma Statutes as Section 192.4 of Title 74, unless there  
13      is created a duplication in numbering, reads as follows:

14        A. The facility administrator shall develop and implement  
15      written policies pertaining to the daily management and operation of  
16      the detention facility including, but not limited to, an operations  
17      manual sufficient to demonstrate compliance with the standards set  
18      forth in the Oklahoma Jail Standards Act and rules promulgated  
19      pursuant thereto.

20        B. The facility administrator shall develop and implement  
21      written policies for the operation of a lockup facility which shall  
22      include requirements that:

- 23            1. Arrest and commitment papers shall be verified;
- 24            2. An inmate shall be searched during admission;

1       3. Property of the inmate shall be inventoried and shall be  
2 stored in a secure location;

3       4. Medical reception information shall be recorded in the file  
4 of the inmate and shall include, but not be limited to, the  
5 following information:

- 6           a. current illnesses and health problems,
- 7           b. behavioral observation, including state of  
8              consciousness and mental status, and history of  
9              alcohol or drug abuse and treatment,
- 10          c. body deformities and trauma markings such as bruises,  
11              lesions, jaundice, and ease of body movement,
- 12          d. condition of skin and visible body orifices, including  
13              infestations,
- 14          e. medications taken and any special health requirements,
- 15          f. whether the inmate may be in need of mental health or  
16              substance abuse services including, but not limited  
17              to, whether the inmate is at risk for or has attempted  
18              suicide, and
- 19          g. disposition or referral of the inmate to qualified  
20              medical personnel on an emergency basis as provided in  
21              Section 4.1 of Title 57 of the Oklahoma Statutes;

22       5. A first aid kit shall be available at locations designated  
23 by the facility administrator;

1       6. Two completed, documented, local or collect telephone calls  
2 shall be allowed at the time of booking or after a reasonable length  
3 of time, as determined by the administrator or designee. The  
4 administrator or designee shall document the refusal of an inmate to  
5 make a telephone call. In facilities where inmates have unlimited  
6 access to operational telephones, the refusal of an inmate to make  
7 telephone calls is not required to be documented;

8       7. Clean bedding and personal hygiene items shall be available  
9 and provided at the facility;

10      8. Shower facilities shall be available with hot and cold  
11 running water at a ratio of at least one shower for every twenty  
12 inmates;

13      9. Continual supervision shall be provided by a trained  
14 detention officer;

15      10. Inmate counts shall be taken at the beginning of each shift  
16 and recorded in the detention facility log. At least one of the  
17 counts each day shall be a full lockdown count when all inmates are  
18 required to be immobilized and visually inspected;

19      11. Hourly visual safety checks shall be conducted at no more  
20 than sixty-minute intervals and on an irregular basis. Detention  
21 officers shall visually check all security features of the cell area  
22 and account for all detainees. Visual safety checks may include  
23 video surveillance provided that it has an unobstructed view of the  
24 entire cell;

1       12. Male and female inmates shall be housed in separated living  
2 areas with visual separation between the two genders. Housing of  
3 inmates with mixed gender identification will be administered in a  
4 manner to maximize inmate safety;

5       13. Each inmate shall be provided at least three meals that  
6 meet the national recommended allowance for basic nutrition every  
7 twenty-four (24) hours. At least two hot meals shall be provided  
8 daily. There shall not be more than fourteen (14) hours between the  
9 breakfast and the evening meals;

10      14. The following minimum fire safety requirements shall be  
11 implemented:

12       a. the facility shall be equipped with a smoke detection  
13 system and a sprinkler system that is approved by the  
14 State Fire Marshal,

15       b. polyurethane foam mattresses, pads, and pillows are  
16 prohibited. Mattresses that are in compliance with  
17 the requirements of the State Fire Marshal shall be  
18 used,

19       c. each facility shall have emergency lighting that meets  
20 the minimum standards as determined by the State Fire  
21 Marshal,

22       d. detention officer posts shall be located and staffed  
23 close enough to the lockup area to permit detention  
24 officers to hear and respond promptly to calls for

1                   assistance and provide immediate response to  
2                   emergencies,

- 3                 e. there shall be designated and marked emergency  
4                   evacuation exits that comply with the requirements of  
5                   the State Fire Marshal, and  
6                 f. each facility shall comply with any other applicable  
7                   building and fire safety codes as determined by the  
8                   State Fire Marshal pursuant to Section 317 et seq. of  
9                   Title 74 of the Oklahoma Statutes;

10               15. Inmates held for over twenty-four (24) hours shall be  
11               issued a clean set of detention facility clothing to include at  
12               least a shirt, trousers or coveralls, and footwear. An inmate shall  
13               receive a complete change of clothing at least once per week.  
14               Inmate street clothing shall be inventoried and shall be stored in a  
15               secure location;

16               16. A detention officer shall be on duty on each floor where  
17               inmates are confined unless the facility is equipped with:

- 18                 a. viewing access to all areas of the facility through a  
19                   video surveillance system, and  
20                 b. an intercommunication system between the cell or  
21                   living area and detention officer post or control  
22                   center to communicate with and monitor inmates; and

1       17. Smoking policies in lockup facilities shall conform to the  
2 requirements set forth in Section 1247 of Title 21 of the Oklahoma  
3 Statutes.

4       SECTION 6.      NEW LAW       A new section of law to be codified  
5 in the Oklahoma Statutes as Section 192.5 of Title 74, unless there  
6 is created a duplication in numbering, reads as follows:

7           A. Each detention facility shall have written policies subject  
8 to the provisions of the Oklahoma Jail Standards Act and rules  
9 promulgated pursuant thereto for the following:

10           1. The reception, orientation, and release of inmates;

11           2. The safety, security, and control of staff, inmates, and  
12 visitors;

13           3. Escapes or other breaches of security of the detention  
14 facility;

15           4. Actions to be taken in emergency situations;

16           5. The use of physical force by staff and the use of  
17 instruments of restraint against an inmate;

18           6. Conduct of inmates, which shall include offenses for which  
19 charges may be imposed, and the range of sanctions and disciplinary  
20 procedures to be followed. Such information shall be made available  
21 to inmates. Such policies shall ensure that inmates are afforded  
22 administrative due process as required by law;

23           7. Inmate requests of staff and grievance procedures, including  
24 procedures for appeal;

1       8. Safety and maintenance of sanitation throughout the  
2 facility;

3       9. Fire prevention and evacuation plans;

4       10. Food services and dietary requirements including  
5 accommodation of medical needs and religious beliefs;

6       11. Inmate correspondence and visitation; and

7       12. Staff training, development, and evaluation.

8       B. The State Department of Health shall be notified no later  
9 than the next working day if any of the following incidents occur:

10      1. Extensive damage to detention facility property;

11      2. Serious injury to staff or an inmate defined as life-  
12 threatening or that requires transfer to an outside medical  
13 facility;

14      3. Escape;

15      4. Serious suicide attempts defined as life-threatening or that  
16 require transfer to an outside medical facility; or

17      5. Death.

18       SECTION 7.       NEW LAW       A new section of law to be codified  
19 in the Oklahoma Statutes as Section 192.6 of Title 74, unless there  
20 is created a duplication in numbering, reads as follows:

21       A. The movement of inmates from one location to another shall  
22 be controlled and supervised by staff.

23       B. Staff shall provide twenty-four-hour supervision of inmates.

1       C. Detention officer posts shall be located and staffed to  
2 monitor all inmate activity either physically or electronically and  
3 in close enough proximity to the living areas to allow for immediate  
4 response to calls for assistance or emergency situations. A  
5 detention officer shall be on duty at all times at each location  
6 where inmates are confined, or the observation of inmates shall be  
7 conducted by electronic means. The location shall be equipped with  
8 an intercommunication system in a location that is staffed twenty-  
9 four (24) hours a day with personnel capable of providing an  
10 emergency response.

11       D. There shall be sufficient staff to perform all assigned  
12 functions relating to security, custody, and supervision of inmates.  
13 Staff assignments shall provide for backup assistance for all  
14 employees entering locations where inmates are confined as required  
15 in the Oklahoma Jail Standards Act.

16       E. All inmates shall be searched when entering or leaving the  
17 security area.

18       F. Policies shall specify a system for the supervision of  
19 female inmates by male staff and supervision of male inmates by  
20 female staff.

21       G. When both male and female inmates are housed in a detention  
22 facility, at least one male and one female detention officer shall  
23 be available to perform sensitive functions and procedures as  
24 necessary to accommodate inmate gender.

1       H. An inmate shall be prohibited from supervising, controlling,  
2 or exerting or assuming any authority over another inmate.

3       I. The name and telephone number of the practicing attorneys  
4 and bonds persons in the area shall be posted conspicuously near the  
5 telephone used by the inmates.

6       J. Direct supervision of inmates shall be permitted if the  
7 facility has policies in place to ensure the safety of employees,  
8 inmates, and visitors and if the design of the physical facility  
9 lends itself to direct supervision operations.

10      SECTION 8.     NEW LAW       A new section of law to be codified  
11 in the Oklahoma Statutes as Section 192.7 of Title 74, unless there  
12 is created a duplication in numbering, reads as follows:

13       The facility administrator shall develop and implement written  
14 policies for the classification and segregation of inmates to ensure  
15 the safety of inmates and staff. The following criteria shall be  
16 implemented to ensure an adequate classification and segregation  
17 system:

18       1. Inmates of opposite genders shall be housed in separated  
19 living areas. Separation shall be by substantial architectural  
20 arrangements which permit no sustained sight contact. Housing of  
21 inmates with mixed gender identification will be administered in a  
22 manner to maximize inmate safety;

1       2. Inmates considered to be a threat to other inmates or staff  
2 shall be housed separately from other inmates based upon the  
3 following criteria:

- 4           a. the past criminal history of the inmate,
- 5           b. the nature and severity of the charges pending against  
6                   the inmate,
- 7           c. the behavior of the inmate while in the facility, and
- 8           d. other relevant reasons as directed by the  
9                   administrator;

10      3. Inmates may be double-celled or confined to dormitory-style  
11 housing if the floor space meets the square footage requirements.

12 Such inmates shall be afforded temporary sleeping surfaces on an  
13 interim basis and shall receive the same living conditions and  
14 privileges as those occupying the general population. A fire-safe  
15 cot and industry products such as those referred to as "boats" are  
16 examples of suitable temporary sleeping surfaces. Any exceptions  
17 regarding conditions and privileges shall be defined by the  
18 administrator;

19      4. Inmates who are intoxicated or under the influence of a  
20 controlled substance shall be housed separately from other inmates  
21 until such time as the medical authority or the facility  
22 administrator determines their suitability for placement into the  
23 general population or other appropriate housing;

1       5. Inmates who appear to have a significant medical or  
2 psychiatric problem may be separated from other inmates;

3       6. Unsentenced inmates shall be separated from sentenced  
4 inmates to the extent possible and shall be permitted whatever  
5 confinement is least restrictive unless inmate behavior or other  
6 security considerations dictate otherwise; and

7       7. Classification and segregation shall not be determined  
8 solely on the basis of race, color, creed, or national origin.

9       SECTION 9.       NEW LAW       A new section of law to be codified  
10 in the Oklahoma Statutes as Section 192.8 of Title 74, unless there  
11 is created a duplication in numbering, reads as follows:

12      A. Adequate medical care shall be provided in a detention  
13 facility. The facility administrator shall develop and implement  
14 written policies for emergency medical and health care services.  
15 The facility administrator shall be responsible for the medical  
16 services of the detention facility and shall develop, with the  
17 assistance of a designated medical authority, the health care plan  
18 for the detention facility. With appropriately credentialed on-site  
19 or off-site supervision, a detention facility may utilize physicians  
20 or other licensed medical personnel, Certified Nurse Practitioners  
21 (CNPs), psychologists, licensed professional counselors, licensed  
22 clinical social workers, licensed masters social workers, licensed  
23 alcohol and drug counselors, emergency medical technicians,  
24 certified medical assistants, or certified nursing assistants for

1 | the provision of medical care. Security restrictions shall be  
2 | considered in the development of the plan and any medical personnel  
3 | included in the plan shall have their responsibilities regulated by  
4 | written job descriptions. The health care plan shall cover, at a  
5 | minimum, the following:

6 |       1. Intake screening procedures;

7 |       2. Medications in the possession of the inmate;

8 |       3. Medications prescribed or administered to the inmate;

9 |       4. Documentation of information relevant to the health or

10 | medical care of the inmate, including current illnesses and health  
11 | problems, as well as observation of the behavior and physical  
12 | condition of the inmate;

13 |       5. Disposition and referral of inmates to qualified medical  
14 | personnel on an emergency basis;

15 |       6. Retention and disposition of inmate medical records; and

16 |       7. Such other procedures as may be necessary for the protection  
17 | of facility employees, visitors, and inmates.

18 |       B. A detention facility operated by a county, with permission  
19 | from the county sheriff, may deduct monies collected from an inmate  
20 | as a medical payment on account for medical services received by the  
21 | inmate while incarcerated in the detention facility pursuant to the  
22 | provisions of Section 531 of Title 19 of the Oklahoma Statutes.

1 SECTION 10. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 192.9 of Title 74, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. A juvenile shall be incarcerated only in a detention  
5 facility authorized by the appropriate judicial or juvenile bureau  
6 authority. A juvenile shall not be detained in any holding facility  
7 or lockup facility. This requirement shall not preclude juveniles  
8 from being held in nonsecure areas until a parent or other  
9 responsible party arrives to take custody of the juvenile.

10      B. Prior to a juvenile being placed in an eligible detention  
11 facility, permission shall be obtained from the appropriate judicial  
12 or juvenile bureau authority. A record of permission shall be  
13 maintained at the facility.

14      C. Sight checks of juvenile inmate living areas shall be  
15 performed at least one time each hour. The check shall include all  
16 areas of each cell and the juvenile inmates shall be visually  
17 observed. Checks shall be documented in writing on a form provided  
18 by the facility administrator.

19      D. An adult inmate who is assigned trustee status shall not be  
20 permitted sustained contact with a juvenile inmate. A staff member  
21 shall serve all meals to a juvenile inmate.

22      E. In addition to existing visitation privileges, juvenile  
23 inmates shall be permitted visits from authorized juvenile agency  
24 personnel. Visits from family members who are unable to visit

1 during normal visiting hours shall be allowed so long as  
2 arrangements are made in advance with the administrator and provided  
3 the visit does not jeopardize facility security. Each facility that  
4 holds a juvenile shall have written policies for such visits.

5 F. A juvenile inmate shall be able to communicate with staff  
6 members at all times. Such communication may be either by voice or  
7 electronic means. If electronic systems are used, there shall be a  
8 backup plan to insure communication ability is maintained.

9 G. No staff member shall be permitted to enter a juvenile  
10 inmate living area without backup assistance being available from  
11 another staff member. At least one staff member shall be of the  
12 same gender as the juvenile inmate except in life-endangering or  
13 life-threatening situations. Any time a decision is made to enter  
14 the living area without appropriate backup assistance as defined  
15 herein, the action shall be documented. Documentation shall show  
16 the reason for the decision and a permanent record shall be  
17 maintained.

18 H. A juvenile charged with a crime which would constitute a  
19 felony if committed by an adult or a juvenile who is an escapee from  
20 a juvenile training school or from a Department of Human Services  
21 group home may be detained in any detention facility authorized by  
22 the appropriate judicial or juvenile bureau authority, police  
23 station, or similar law enforcement office not approved for long-  
24 term detention, for a period of six (6) hours or less for

1 identifying, processing, or arranging for transfer to a juvenile  
2 detention facility or alternative program. In no other  
3 circumstances shall a juvenile be securely detained in an adult  
4 detention facility.

5       I. The State Department of Health shall coordinate with the  
6 Office of Juvenile Affairs to certify detention facilities for  
7 holding juvenile offenders based on the compliance of the detention  
8 facility with the Oklahoma Jail Standards Act and the provisions of  
9 Section 2-3-103 of Title 10A of the Oklahoma Statutes.

10      J. The designation of a detention facility as a place for the  
11 detention of juveniles shall be made from a list of eligible  
12 detention facilities supplied by the Department. Eligible detention  
13 facilities shall be those detention facilities deemed by the  
14 Department as compliant with the Oklahoma Jail Standards Act.

15      K. Any adult detention, holding, or lockup facility shall  
16 record and report the detention of any person eighteen (18) years of  
17 age or younger in a manner consistent with the requirements of the  
18 Office of Juvenile Affairs.

19      L. Records of detention for persons eighteen (18) years of age  
20 or younger and detained in the last year shall be subject to review  
21 during the annual inspection conducted by the Department.

22      M. If detention of a juvenile is authorized, such juvenile  
23 shall be housed separately from adults in order to prohibit  
24 sustained sight and sound contact. Inadvertent contact with

1 | incarcerated adults outside of detention facility living areas not  
2 | dedicated for use by juvenile offenders should be minimized.

3 |       N. A juvenile may be held for up to six (6) hours for the  
4 | purpose of identification, investigation, processing, release to a  
5 | parent, transfer to court, or transfer to a juvenile facility  
6 | following the initial custody of the juvenile.

7 |       O. A juvenile arrested for or charged with a criminal offense  
8 | may be securely detained in an adult detention or lockup facility  
9 | for up to six (6) hours immediately before or immediately after a  
10 | court appearance, provided sight and sound separation is maintained.  
11 | This period may be extended to twenty-four (24) hours, excluding  
12 | weekends and holidays, if the jurisdiction is outside the  
13 | metropolitan statistical area where:

14 |           1. State law requires an initial court appearance within  
15 | twenty-four (24) hours after being taken into custody;

16 |           2. There is no acceptable alternative placement; and

17 |           3. The detention facility has been determined by the Department  
18 | to provide for sight and sound separation.

19 |       SECTION 11.       AMENDATORY       57 O.S. 2021, Section 37, is  
20 | amended to read as follows:

21 |       Section 37. A. If all correctional facilities reach maximum  
22 | capacity and the Department of Corrections is required to contract  
23 | for bed space to house state inmates:

1       1. The Pardon and Parole Board shall consider all nonviolent  
2 offenders for parole who are within six (6) months of their  
3 scheduled release from a penal facility; and

4       2. Prior to contracting with a private prison operator to  
5 provide housing for state inmates, the Department shall send  
6 notification to all county jails in this state that bed space is  
7 required to house the overflow population of state inmates. Upon  
8 receiving notification, the sheriff or jail trust administrator of a  
9 county jail is authorized to enter into agreements with the  
10 Department to provide housing for the inmates. Reimbursement for  
11 the cost of housing the inmates shall be a negotiated per diem rate  
12 for each inmate as contracted but shall in no event be less than the  
13 per diem rate provided for in Section 38 of this title.

14       B. No inmate may be received by a penal facility from a county  
15 jail without first scheduling a transfer with the Department.

16 Within five (5) business days after the court orders the judgment  
17 and sentence, the court clerk shall transmit to the Department by  
18 facsimile, electronic mail, or actual delivery a certified copy of  
19 the judgment and sentence.

20       C. The receipt of the certified copy of the judgment and  
21 sentence shall be certification that the sentencing court has  
22 entered a judgment and sentence and all other necessary commitment  
23 documents. The Department of Corrections is authorized to determine  
24 the appropriate method of delivery from each county based on

1 electronic or other capabilities, and establish a method for issuing  
2 receipts certifying that the Department has received the judgment  
3 and sentence document. The Department shall establish a dedicated  
4 electronic address location for receipt of all electronically  
5 submitted judgment and sentence documents. The electronic address  
6 location shall provide written receipt verification of each received  
7 judgment and sentence document. Once an appropriate judgment and  
8 sentence document is received by the Department of Corrections, the  
9 Department shall contact the sheriff or jail trust administrator  
10 when bed space is available to schedule the transfer and reception  
11 of the inmate into the Department.

12 D. If the Department receives a judgment and sentence document  
13 from a county that includes inaccurate information from the  
14 sentencing court, the Department shall notify the county within a  
15 timely manner.

16 E. When a county jail has reached its capacity of inmates as  
17 provided in the standards set forth in ~~Section 192 of Title 74 of~~  
18 ~~the Oklahoma Statutes~~ the Oklahoma Jail Standards Act, then the  
19 county sheriff or jail trust administrator shall notify the Director  
20 of the Oklahoma Department of Corrections, or the Director's  
21 designated representative, by facsimile, electronic mail, or actual  
22 delivery, that the county jail has reached or exceeded its capacity  
23 to hold inmates. The notification shall include copies of any  
24 judgment and sentences not previously delivered as required by

1 subsection B of this section. ~~Then within~~ Within seventy-two (72)  
2 hours following such notification, the county sheriff or jail trust  
3 administrator shall transport the designated excess inmate or  
4 inmates to a penal facility designated by the Department. The  
5 sheriff or jail trust administrator shall notify the Department of  
6 the transport of the inmate prior to the reception of the inmate.  
7 The Department shall schedule the reception date and receive the  
8 inmate within seventy-two (72) hours of notification that the county  
9 jail is at capacity, unless other arrangements can be made with the  
10 sheriff or jail trust administrator.

11 F. The Department ~~will~~ shall be responsible for the cost of  
12 housing the inmate in the county jail including costs of medical  
13 care provided from the date the judgment and sentence was ordered by  
14 the court until the date of transfer of the inmate from the county  
15 jail. The Department shall implement a policy for determination of  
16 scheduled dates on which an inmate or multiple inmates are to be  
17 transferred from county jails. The policy shall allow for no less  
18 than three alternative dates from which the sheriff or jail trust  
19 administrator of a county jail may select and shall provide for  
20 weather-related occurrences or other emergencies that may prevent or  
21 delay transfers on the scheduled date. The policy shall be  
22 available for review upon request by any sheriff or jail trust  
23 administrator of a county jail. The cost of housing shall be the  
24 per diem rate specified in Section 38 of this title. In the event

1 | the inmate has one or more criminal charges pending in the same  
2 | Oklahoma jurisdiction and the county jail refuses to transfer the  
3 | inmate to the Department because of the pending charges, the  
4 | Department shall not be responsible for the housing costs of the  
5 | inmate while the inmate remains in the county jail with pending  
6 | charges. Once the inmate no longer has pending charges in the  
7 | jurisdiction, the Department shall be responsible for the housing  
8 | costs of the inmate for the period beginning on the date the  
9 | judgment and sentence or final order was ordered by the Court. In  
10 | the event the inmate has other criminal charges pending in another  
11 | Oklahoma jurisdiction, the Department shall be responsible for the  
12 | housing costs while the inmate remains in the county jail awaiting  
13 | transfer to another jurisdiction or until the date the inmate is  
14 | scheduled to be transferred to the Department, whichever is earlier.  
15 | Once the inmate is transferred to another jurisdiction, the  
16 | Department is not responsible for the housing cost of the inmate  
17 | until such time that another judgment and sentence is received by  
18 | the Department from another Oklahoma jurisdiction.

19 |       The sheriff or jail trust administrator may submit invoices for  
20 | the cost of housing the inmate on a monthly basis. Final payment  
21 | for housing an offender will be made only after the official  
22 | judgment and sentence is received by the Department of Corrections.

23 |       SECTION 12.       AMENDATORY           57 O.S. 2021, Section 47, is  
24 | amended to read as follows:

1       Section 47. The sheriff, or such person designated by law in  
2 ~~his~~ place of the sheriff, shall have charge of the county jail of  
3 his or her county and of all persons by law confined therein, and  
4 such sheriff or other officer is hereby required to conform, in all  
5 respects, to the rules and directions promulgated pursuant to  
6 ~~Section 192 of Title 74 of the Oklahoma Statutes~~ the Oklahoma Jail  
7 Standards Act and of the district judge and communicated to ~~him~~ the  
8 sheriff by the proper authority.

9             SECTION 13.       AMENDATORY           57 O.S. 2021, Section 52, is  
10 amended to read as follows:

11          Section 52. It shall be the duty of the sheriff of each county  
12 to provide bed clothing, washing, board, and medical care when  
13 required, and all necessities for the comfort and welfare of  
14 prisoners as specified by the standards promulgated pursuant to  
15 ~~Section 192 of Title 74 of the Oklahoma Statutes~~ the Oklahoma Jail  
16 Standards Act and ~~he~~ the sheriff shall be allowed such compensation  
17 for services required by the provisions of Sections 41 through 64 of  
18 this title, as may be prescribed by the county commissioners. All  
19 purchases made pursuant to the provisions of this section shall be  
20 made pursuant to the purchasing procedures specified in Sections  
21 1500 through 1505 of Title 19 of the Oklahoma Statutes, including  
22 the use of blanket purchase orders as provided for in Section 310.8  
23 of Title 62 of the Oklahoma Statutes.

1 SECTION 14. AMENDATORY 57 O.S. 2021, Section 53, is  
2 amended to read as follows:

3 Section 53. The sheriff or designated employee shall visit the  
4 county jail in person and inquire into the condition of each  
5 prisoner at least once each month and it shall be ~~his~~ the duty of  
6 the sheriff or designated employee to comply with all standards  
7 promulgated pursuant to ~~Section 192 of Title 74 of the Oklahoma~~  
8 Statutes the Oklahoma Jail Standards Act.

9 SECTION 15. AMENDATORY 57 O.S. 2021, Section 55, is  
10 amended to read as follows:

11 Section 55. If the sheriff or jailer in charge of any county  
12 jail shall neglect or refuse to comply with any of the rules and  
13 regulations established by the district judge, or pursuant to  
14 ~~Section 192 of Title 74 of the Oklahoma Statutes the Oklahoma Jail~~  
15 Standards Act, or to any other duties required ~~of him by~~ pursuant to  
16 Sections 41 through 64 of this title, ~~he~~ the sheriff or jailer in  
17 charge shall, on conviction thereof, by indictment for each case of  
18 such failure or neglect of duty as aforesaid, pay into the county  
19 treasury of the proper county, for the use of such county, a fine  
20 not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars  
21 (\$100.00) to be assessed by the district court of the proper  
22 district.

1 SECTION 16. AMENDATORY 57 O.S. 2021, Section 57, as  
2 amended by Section 1, Chapter 35, O.S.L. 2023 (57 O.S. Supp. 2024,  
3 Section 57), is amended to read as follows:

4 Section 57. A. In the city and county jails in this state,  
5 there shall be provided sufficient and convenient apartments for  
6 confining prisoners of different ~~sexes~~ genders and classification  
7 separate and apart from each other. ~~The sheriff of each county of~~  
~~this state shall notify the Department of Corrections of the~~  
~~prisoner capacity of the county jail by July 1, 2003. After that~~  
~~date, changes~~ Changes in prisoner capacity shall be reported by the  
sheriff within thirty (30) days of the change to the Department of  
Corrections. For purposes of this section, "prisoner capacity"  
means the capacity determined by the State Fire Marshal pursuant to  
Section 317 of Title 74 of the Oklahoma Statutes.

15 B. In the city and county jails in this state, there shall be a  
16 system of classifying prisoners, based upon the severity of the  
17 charges, past criminal history, and other relevant factors.

18 C. In the city and county jails in this state, prisoners  
19 classified pursuant to subsection B of this section may be confined  
20 two per cell or barrack-style, provided the living space meets the  
21 square footage requirements set forth in ~~Section 192 of Title 74 of~~  
~~the Oklahoma Statutes~~ the Oklahoma Jail Standards Act.

1       D. All funds used by the Department of Corrections to contract  
2 with private contractors for the building of prisons and pre-release  
3 centers will be subject to appropriations by the Legislature.

4       E. Nothing in this section shall authorize contracts with  
5 private contractors for construction of prison facilities, unless  
6 authorized by the Legislature.

7       F. As used in this section, "barrack-style" means a single  
8 designated space within a city or county jail facility for the  
9 purpose of housing three or more inmates.

10      SECTION 17.     AMENDATORY     63 O.S. 2021, Section 472, is  
11 amended to read as follows:

12      Section 472. It shall be the duty of the governing bodies of  
13 all municipalities to insure compliance with standards governing  
14 conditions in municipal jails as prescribed in ~~Section 192 of Title~~  
15 ~~74 of the Oklahoma Statutes~~ the Oklahoma Jail Standards Act.

16      SECTION 18.     AMENDATORY     69 O.S. 2021, Section 617, is  
17 amended to read as follows:

18      Section 617. The board of county commissioners shall furnish  
19 wholesome food in sufficient quantity and variety to all convicts  
20 working upon the public roads to maintain them in good health and  
21 vigor, and shall furnish medical attention when required in  
22 accordance with the standards promulgated pursuant to ~~Section 192 of~~  
23 ~~Title 74 of the Oklahoma Statutes~~ the Oklahoma Jail Standards Act.

1 SECTION 19. AMENDATORY 74 O.S. 2021, Section 193, is  
2 amended to read as follows:

3 Section 193. A. Inspectors employed by the State Department of  
4 Health shall be permitted to enter all jail premises and  
5 administrative offices for the purpose of performing their assigned  
6 duties.

7 B. The results of these inspections shall be presented in the  
8 form of a written report to the person immediately responsible for  
9 the administration of the facility inspected and such other offices  
10 the Department deems appropriate. The report shall contain:

11 1. A list of deficiencies in the condition or operation of the  
12 facility and specific proposals for their solution; and

13 2. A statement as to whether or not the facility inspected is  
14 in substantial compliance with the jail standards established  
15 pursuant to ~~Section 192 of this title~~ the Oklahoma Jail Standards  
16 Act.

17 SECTION 20. It being immediately necessary for the preservation  
18 of the public peace, health or safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.

21  
22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY, dated  
23 04/17/2025 - DO PASS.  
24