

1 ENGROSSED SENATE
2 BILL NO. 2041

By: Sykes of the Senate

3 and

4 Johnson of the House

5
6 [crimes and punishments - prisoners - pay costs -

7 medical care -

8 effective date]

9
10
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 21 O.S. 2001, Section 533, as last
13 amended by Section 1, Chapter 470, O.S.L. 2005 (21 O.S. Supp. 2009,
14 Section 533), is amended to read as follows:

15 Section 533. A. Except as provided in this section and Section
16 979a of Title 22 of the Oklahoma Statutes, for emergency medical
17 treatment for an injury or condition that threatens life or
18 threatens the loss or use of a limb, any peace officer or jail or
19 prison contractor who, in violation of a duty imposed upon the
20 officer or contractor by law or by contract to receive into custody
21 any person as a prisoner, willfully neglects or refuses so to
22 receive such person into custody is guilty of a misdemeanor.

23 B. Except as provided in this section and Section 979a of Title
24 22 of the Oklahoma Statutes, for emergency medical treatment for an

1 injury or condition that threatens life or threatens the loss or use
2 of a limb, any peace officer or jail or prison contractor who, in
3 violation of a duty imposed upon the officer or contractor by law or
4 by contract to fingerprint any person received into custody as a
5 prisoner, willfully neglects or refuses so to fingerprint such
6 person is guilty of a misdemeanor.

7 C. Any person coming into contact with a peace officer prior to
8 being actually received into custody at a jail facility or holding
9 facility, including, but not limited to, during the time of any
10 arrest, detention, transportation, investigation of any incident,
11 accident or crime, who needs emergency medical treatment for an
12 injury or condition that threatens life or threatens the loss or use
13 of a limb, shall be taken directly to a medical facility or hospital
14 for such emergency medical care notwithstanding any duty imposed
15 pursuant to this section or any other provision of law to first take
16 such person into custody or to fingerprint such person. The
17 responsibility for payment of such emergency medical costs shall be
18 the sole responsibility of the person coming into the officer's
19 contact and shall not be the responsibility of any jail, law
20 enforcement agency, jail or prison contractor, sheriff, peace
21 officer, municipality or county, except when the condition is a
22 direct result of injury caused by such officer acting outside the
23 scope of lawful authority.

