

1 ENGROSSED HOUSE AMENDMENT  
2 TO  
3 ENGROSSED SENATE BILL NO. 2041 By: Sykes of the Senate  
4 and  
5 Johnson of the House  
6  
7

8 ( crimes and punishments - prisoners - pay costs -  
9 medical care -  
10 effective date )  
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13 AMENDMENT NO. 1. Strike the stricken title, enacting clause and  
14 entire bill and insert

15 "( crimes and punishments - amending 21 O.S., Section  
16 533 - refusing to receive prisoners - emergency  
17 medical care costs -  
18 effective date )  
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21 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

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

1 Section 533. A. Except as provided in this section and Section  
2 979a of Title 22 of the Oklahoma Statutes, for emergency medical  
3 treatment for an injury or condition that threatens life or  
4 threatens the loss or use of a limb, any peace officer or jail or  
5 prison contractor who, in violation of a duty imposed upon the  
6 officer or contractor by law or by contract to receive into custody  
7 any person as a prisoner, willfully neglects or refuses so to  
8 receive such person into custody is guilty of a misdemeanor.

9 B. Except as provided in this section and Section 979a of Title  
10 22 of the Oklahoma Statutes, for emergency medical treatment for an  
11 injury or condition that threatens life or threatens the loss or use  
12 of a limb, any peace officer or jail or prison contractor who, in  
13 violation of a duty imposed upon the officer or contractor by law or  
14 by contract to fingerprint any person received into custody as a  
15 prisoner, willfully neglects or refuses so to fingerprint such  
16 person is guilty of a misdemeanor.

17 C. Any person coming into contact with a peace officer prior to  
18 being actually received into custody at a jail facility or holding  
19 facility, including, but not limited to, during the time of any  
20 arrest, detention, transportation, investigation of any incident,  
21 accident or crime, who needs emergency medical treatment for an  
22 injury or condition that threatens life or threatens the loss or use  
23 of a limb, shall be taken directly to a medical facility or hospital  
24 for such emergency medical care notwithstanding any duty imposed

1 pursuant to this section or any other provision of law to first take  
2 such person into custody or to fingerprint such person. The  
3 responsibility for payment of such emergency medical costs shall be  
4 the sole responsibility of the person coming into the officer's  
5 contact and shall not be the responsibility of any jail, law  
6 enforcement agency, jail or prison contractor, sheriff, peace  
7 officer, municipality or county, except when the condition is a  
8 direct result of injury caused by such officer acting outside the  
9 scope of lawful authority.

10 D. Any person who intentionally injures himself or herself  
11 after being actually received into custody at a jail or holding  
12 facility, whether an arrestee or not, shall pay for the costs  
13 associated with any emergency medical care that such injury  
14 requires. The responsibility for payment for emergency medical  
15 costs as a result of such injury shall be the sole responsibility of  
16 the person and shall not be the responsibility of any jail, law  
17 enforcement agency, jail or prison contractor, sheriff, peace  
18 officer, municipality or county.

19 SECTION 2. This act shall become effective November 1, 2010."  
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1 Passed the House of Representatives the 21st day of April, 2010.

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4 Presiding Officer of the House of  
Representatives

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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2010.

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9 Presiding Officer of the Senate