

ENGROSSED HOUSE
BILL NO. 1663

BY: FERGUSON, COLEMAN,
GREENWOOD, MONKS, POPE,
SULLIVAN, WEESE and
WORTHEN of the HOUSE

and

SHURDEN of the SENATE

AN ACT RELATING TO CRIMES AND PUNISHMENTS; SPECIFYING
AND PROHIBITING FIFTH DEGREE ARSON; PROVIDING
PENALTIES; AUTHORIZING CERTAIN PERMITS; PROVIDING
FOR IMMUNITY FROM CRIMINAL LIABILITY; PROVIDING FOR
CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1405 of Title 21, unless there
is created a duplication in numbering, reads as follows:

Any person who willfully and maliciously sets fire to or burns
or causes to be burned, or aids, counsels or procures the burning of
any object or property, other than tobacco products or candles, on
any property owned or leased by the state or any political
subdivision of the state, upon conviction, shall be guilty of arson
in the fifth degree and punished by the imposition of a fine not to
exceed Five Thousand Dollars (\$5,000.00), or by imprisonment in the
State Penitentiary for a period not to exceed ten (10) years, or by
both such fine and imprisonment. The governing board or agency
having authority over the property owned or leased by the state or
political subdivision of the state may authorize the burning of
objects or property on the property owned or leased by the state or

political subdivision of the state by the issuance of a permit subject to the rules or regulations of that governing board or authority. Any person in possession of a permit issued to that person by the governing board or authority, shall not be held criminally liable for the prohibited actions pursuant to this section if the actions of the person conform to the terms of the permit.

SECTION 2. This act shall become effective September 1, 1991.

Passed the House of Representatives the 14th day of March, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate