

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1541

By: Hager

COMMITTEE SUBSTITUTE

An Act relating to prisons and reformatories; amending 57 O.S. 1991, Section 21, as amended by Section 1, Chapter 264, O.S.L. 1992 (57 O.S. Supp. 1992, Section 21), which relates to contraband in penal institutions; modifying area of prohibition; expanding types of contraband; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 21, as amended by Section 1, Chapter 264, O.S.L. 1992 (57 O.S. Supp. 1992, Section 21), is amended to read as follows:

Section 21. Any person who, without authority, brings into or has in his possession in any jail or state penal institution or other place where prisoners are located or on the grounds surrounding any jail or state penal institution, or place where prisoners are located, any gun, knife, bomb or other dangerous instrument, marijuana, narcotic drug or any dangerous drug whatsoever, including amphetamines, sleeping potions, barbiturates or derivatives thereof, or any alcoholic beverages, as defined in Section 506 of Title 37 of the Oklahoma Statutes or nonintoxicating beverages, as defined in Section 163.2 of Title 37 of the Oklahoma Statutes or money, shall be guilty of a felony and is subject to imprisonment in the State Penitentiary for not less than one (1) year or more than five (5) years, or a fine of not less than One Hundred Dollars (\$100.00) or more than One Thousand Dollars (\$1,000.00), or both such fine and imprisonment.

If an inmate is found to be in possession of any such item, upon conviction, he shall be guilty of a felony and shall be

subject to imprisonment for not less than five (5) years or more than twenty (20) years in the State Penitentiary.

If the person found to be in possession of any such item has, prior to the commission of said offense, committed two or more felony offenses, and said possession of contraband was within ten (10) years of the completion of the execution of the sentence, such person upon conviction, shall be punished by imprisonment in the State Penitentiary for a term of not less than twenty (20) years. Felony offenses relied upon shall not have arisen out of the same transaction or occurrence or series of events closely related in time and location.

SECTION 2. This act shall become effective September 1, 1993.

44-1-6434           AJM