

ENROLLED SENATE
BILL NO. 179

By: Dickerson of the Senate

and

Settle of the House

An Act relating to prisons; 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 language; modifying reference; prohibiting controlled dangerous substances and intoxicating and nonintoxicating beverage on penal property; and declaring an emergency.

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. A. 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, 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~~ any controlled dangerous substance as defined by Section 2-101 et seq. of Title 63 of the Oklahoma Statutes, any intoxicating or nonintoxicating beverage as defined by Sections 163.1 and 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.

B. 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.

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

Passed the Senate the 2nd day of March, 1993.

President of the Senate

Passed the House of Representatives the 5th day of April, 1993.

Speaker of the House of
Representatives