

ENGROSSED HOUSE  
BILL NO. 1363

By: Beutler, Boyd (Betty),  
Bryant, Cox, Tyler,  
Wells, Widener,  
Hastings, Adkins and  
Pope (Tim) of the House

and

Robinson of the Senate

An Act relating to schools; amending 70 O.S. 1991,  
Section 6-113, which relates to assault, battery,  
and assault and battery on school personnel;  
modifying penalties relating to such assaults,  
batteries, and assault and batteries, and  
aggravated assault and batteries; clarifying  
certain language; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 6-113, is  
amended to read as follows:

Section 6-113. A. As used herein, school employee shall mean  
any duly appointed person employed by or employees of a firm  
contracting with a school system for any purpose, including such  
personnel not directly related to the teaching process and school  
board members during school board meetings.

B. Every person who, without justifiable or excusable cause,  
knowingly commits any assault, ~~battery, or assault and battery~~ upon  
the person of a school employee of a school district or threatens  
and places such employee in immediate fear of bodily harm while such

employee is in the performance of ~~his duties~~ such employment as a school employee, upon conviction, is guilty of a misdemeanor, punishable by imprisonment in the county jail for a period not exceeding six (6) months, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

C. Every person who, without justifiable or excusable cause, knowingly commits any battery or assault and battery upon the person of a school employee of a school district while such employee is in the performance of such employment as a school employee is, upon conviction, guilty of a felony, punishable by imprisonment in the State Penitentiary for a period not exceeding two (2) years, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

D. Every person who, without justifiable or excusable cause, knowingly commits any aggravated assault and battery upon the person of a school employee while such person is in the performance of his or her duties, shall upon conviction, shall be guilty of a felony, punishable by imprisonment in the State Penitentiary for a period not exceeding five (5) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 1995.

Passed the House of Representatives the 8th day of March, 1995.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1995.

President of the Senate