

ENGROSSED HOUSE
BILL NO. 2603

By: Paulk, Miller, Dank,
Widener, Hutchison,
Cotner, Smith (Bill) and
Mitchell of the House

and

Weedn and Leftwich of
the Senate

An Act relating to crimes and punishments; amending
21 O.S. 1991, Section 1401, which relates to arson;
modifying circumstances by which arson occurs in
certain instances; making certain conduct while
committing arson a felony; providing penalty;
providing for codification; and providing an
effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1401, is
amended to read as follows:

Section 1401. Any person who willfully and maliciously sets
fire to or burns, or by the use of any explosive device, accelerant,
ignition device, heat-producing device or substance, destroys in
whole or in part, or causes to be burned or destroyed, or aids,
counsels or procures the burning or destruction of any building or
structure or contents thereof, inhabited or occupied by one or more
persons, whether the property of ~~himself~~ that person or another, or
who willfully and maliciously sets fire to or burns, or by the use
of any explosive device, accelerant, ignition device, heat-producing

device or substance, causes a person to be burned, or aids, counsels or procures the burning of a person, shall be guilty of arson in the first degree, and upon conviction thereof shall be punished by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00) or be confined to the penitentiary for not more than thirty-five (35) years or both.

SECTION 2. 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 violating any of the provisions of Sections 1401, 1402, 1403 or 1404 of this title who during such violation endangers any human life, including all emergency service personnel, shall be guilty of a felony and upon conviction shall be punished by imprisonment in the penitentiary for not less than three (3) years nor more than ten (10) years, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00) or both. If personal injury results, the person shall be punished by imprisonment in the penitentiary for not less than seven (7) years.

SECTION 3. This act shall become effective November 1, 1996.

Passed the House of Representatives the 26th day of February, 1996.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1996.

President of the Senate