

ENGROSSED HOUSE
BILL NO. 2613

By: Paulk and Tyler of the
House

and

Douglass of the Senate

An Act relating to crimes and punishments; amending
21 O.S. 1991, Section 701.7, which relates to
murder in the first degree; modifying condition by
which murder in the first degree occurs in certain
circumstances; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 701.7, is
amended to read as follows:

Section 701.7 A. A person commits murder in the first degree
when ~~he~~ that person unlawfully and with malice aforethought causes
the death of another human being. Malice is that deliberate
intention unlawfully to take away the life of a human being, which
is manifested by external circumstances capable of proof.

B. A person also commits the crime of murder in the first
degree when ~~he~~ that person takes the life of a human being,
regardless of malice, in the commission of murder of another person,
shooting or discharge of a firearm or crossbow with intent to kill,
use of a vehicle to facilitate the discharge of a firearm or
crossbow, forcible rape, robbery with a dangerous weapon,
kidnapping, escape from lawful custody, first degree burglary, first

degree arson, unlawful distributing or dispensing of controlled dangerous substances, or trafficking in illegal drugs.

C. A person commits murder in the first degree when the death of a child results from the willful or malicious injuring, torturing, maiming or using of unreasonable force by ~~said~~ the person or who shall willfully cause, procure or permit any of said acts to be done upon the child pursuant to Section 843 of this title.

D. A person commits murder in the first degree when ~~he~~ that person unlawfully and with malice aforethought solicits another person or persons to cause the death of a human being in furtherance of unlawfully manufacturing, distributing or dispensing controlled dangerous substances, as defined in the Uniform Controlled Dangerous Substances Act, unlawfully possessing with intent to distribute or dispense controlled dangerous substances, or trafficking in illegal drugs.

SECTION 2. This act shall become effective November 1, 1996.

Passed the House of Representatives the 6th day of March, 1996.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1996.

President of the Senate