

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1325

By: Voskuhl

AS INTRODUCED

An Act relating to crimes and punishments; amending 10 O.S. 1991, Section 1149, which relates to aggravated assault and battery against certain juvenile detention employees; amending 21 O.S. 1991, Section 650.2, as amended by Section 2, Chapter 326, O.S.L. 1993 (21 O.S. Supp. 1994, Section 650.2), which relates to aggravated assault and battery against Department of Corrections and Department of Human Services employees; adding battery and assault and battery to such offenses; expanding coverage of such offenses; and providing an effective date.

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

SECTION 1. AMENDATORY 10 O.S. 1991, Section 1149, is amended to read as follows:

Section 1149. A. Every person who, without justifiable or excusable cause, knowingly commits any battery, assault and battery or aggravated assault and battery upon the person of an employee of a ~~state~~ facility maintained primarily for delinquent children, while the employee is in the performance of ~~his~~ such employee's duties, shall upon conviction thereof be guilty of a felony.

B. This act shall not supersede any other act or acts, but shall be cumulative thereto.

SECTION 2. AMENDATORY 21 O.S. 1991, Section 650.2, as amended by Section 2, Chapter 326, O.S.L. 1993 (21 O.S. Supp. 1994, Section 650.2), is amended to read as follows:

Section 650.2 A. Every person in the custody of the Oklahoma Department of Corrections who, without justifiable or excusable cause, knowingly commits any battery, assault and battery or aggravated assault and battery upon the person of a Department of Corrections employee while said employee is in the performance of ~~his~~ such employee's duties shall upon conviction thereof be guilty of a felony.

B. Every person in the custody of the Department of Human Services who, without justifiable or excusable cause, knowingly commits any battery, assault and battery or aggravated assault and battery upon the person of a Department of Human Services employee or private juvenile detention facility employee while said employee is in the performance of ~~his~~ such employee's duties shall upon conviction thereof be guilty of a felony.

SECTION 3. This act shall become effective November 1, 1995.

45-1-5814

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