

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1330

By: Hendrick

COMMITTEE SUBSTITUTE

( Oklahoma Truth in Sentencing Act - modifying monetary ranges of monetary value enhancer - stating scheduling for burglary - eliminating requirement that designated judge review plan and make written declaration - providing that community sentence is subject to revocation to the Department of Corrections - providing for maximum duration of community sentence, with exception for restitution - authorizing court to order payment of fine as condition of deferred judgment - providing that postimprisonment supervision is a part of the total sentence - effective date -

emergency)

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

SECTION 1. AMENDATORY Section 4, Chapter 133, O.S.L. 1997 (21 O.S. Supp. 1997 Section 14), is amended to read as follows:

Section 14. The following definitions apply to the Oklahoma Truth in Sentencing Act:

1. "Commission" means the Oklahoma Sentencing Commission;
2. "Community punishment" or "community sentence" means a sentence pursuant to the Oklahoma Community ~~Corrections~~ Sentencing Act;

3. "Confinement" means an offender is sentenced to a placement where the offender is controlled, restrained, or confined to a certain location, for a definite period of time as may be authorized by law for the commission of the criminal offense;

4. "Drug crime matrix" means the sentencing matrix for all felony drug offenses as provided by the Oklahoma Statutes;

5. "Intoxicant crimes involving a vehicle matrix" means the sentencing matrix for all felony offenses relating to operating or being in actual physical control of a motor vehicle while under the influence of intoxicants or with impaired ability as provided by the Oklahoma Statutes;

6. "Life imprisonment" means imprisonment for a period of not less than eighteen (18) years nor more than sixty (60) years;

7. "Main matrix" means the sentencing matrix for all felonies except the drug crimes, sex crimes, and intoxicant crimes involving a vehicle, as provided by the Oklahoma Statutes;

8. "Offense enhancer" means the sentence enhancers based on the circumstances of the commission of the current offense of conviction provided for in Section 7 17 of this ~~act~~ title;

9. "Prior record enhancer" means the sentence enhancers based on the prior criminal convictions of an offender provided for in Section 7 17 of this ~~act~~ title;

10. "Prison" means a correctional facility contracted for, operated, or leased by the Oklahoma Department of Corrections;

11. "Range of confinement" means the range within which a sentencing court may impose a term of confinement as provided for by the applicable matrix;

12. "Range of punishment" means the possible punishment for the commission of a criminal offense. The range of punishment may include a term of confinement, a fine, a term of postimprisonment supervision, removal from office, and other conditions authorized by the Oklahoma Statutes;

13. "Schedule" means the classification of a criminal offense as provided in Section ~~6~~ 16 of this ~~act~~ title;

14. "Sentence" means the total obligation of the offender for the commission of a criminal offense as determined by the sentencing court, including any term of confinement in a prison or jail, any term of community punishment, any term of supervision, any fine, and any terms or conditions as authorized by Section 991a of Title 22 of the Oklahoma Statutes;

15. "Sentencing level" or "level" means the level of sentencing pursuant to the applicable matrix;

16. "Sentencing matrix" means one of the sentencing matrices established as provided in Section ~~3~~ 13 of this ~~act~~ title;

17. "Sex crimes matrix" means the sentencing matrix for all felony sex offenses provided for by the Oklahoma Statutes; and

18. "Postimprisonment supervision" means the period of supervision imposed by the court to follow the period of incarceration within the Department of Corrections.

SECTION 2. AMENDATORY Section 6, Chapter 133, O.S.L. 1997 (21 O.S. Supp. 1997, Section 16), is amended to read as follows:

Section 16. A. There is hereby established a classification system for all felony criminal offenses provided for in the Oklahoma Statutes that places the offenses into schedules on the basis of the severity of the offense and other factors of the commission of the crime. The Oklahoma Truth in Sentencing ~~Policy Advisory~~ Commission may recommend changes for the schedules to the Legislature. All felonies provided for by the Oklahoma Statutes shall be classified in the following schedules:

1. "Schedule A" is reserved for the crime of murder in the first degree as defined by Section 701.7 of ~~Title 21 of the Oklahoma Statutes~~ this title, and is not subject to the application of the sentencing matrices of the Oklahoma Truth in Sentencing Act;

2. "Schedule B" means a violent offense which is committed with intent to kill or with reckless disregard for human life;

3. "Schedule C" means a violent offense which is inherently dangerous to others and causes a substantial risk of death or serious bodily injury to a person;

4. "Schedule D" means a violent offense which creates a significant risk of death or serious bodily injury to a person;

5. "Schedule D-1" means a violent offense which creates a risk of death or bodily injury to a person;

6. "Schedule D-2" means a violent offense committed without the use of a weapon which does not create a risk of death or serious bodily injury or which is committed against a victim acting in an official capacity;

7. "Schedule E" means a nonviolent offense which creates a risk of injury to a person or a risk of harm to property;

8. "Schedule F" means a nonviolent offense which inflicts societal injury or which creates a risk of societal injury;

9. "Schedule G" means a nonviolent offense, the commission of which resulted in or was intended to result in a gain or benefit for the offender and other miscellaneous felony offenses;

10. "Schedule H" means a nonviolent offense, the commission of which does not create a major risk of harm to a person or to property and is defined as a felony offense;

11. "Schedule I-1" means an offense of driving, operating, or being in actual physical control of a motor vehicle while under the influence of alcohol or any other intoxicating substance and causing an accident that results in great bodily injury to another;

12. "Schedule I-2" means an offense of driving or operating a motor vehicle while under the influence of alcohol or any other intoxicating substance and being involved in a personal injury accident after former conviction for the same offense;

13. "Schedule I-3" means an offense of driving, operating, or being in actual physical control of a motor vehicle while under the influence of alcohol or other intoxicating substance after former conviction for the same offense;

14. "Schedule N-1" means an offense of manufacturing or attempting to manufacture a controlled dangerous substance, or a synthetic of the controlled dangerous substance;

15. "Schedule N-2" means an offense of trafficking in a specified Schedule I or Schedule II controlled dangerous substance, or a synthetic of the controlled dangerous substance, including marihuana, cocaine or coca leaves, heroin, amphetamine or methamphetamine, lysergic acid diethylamide, phencyclidine, or cocaine base in a statutorily defined amount;

16. "Schedule N-3" means an offense of distributing, dispensing, transporting with the intent to distribute or dispense, or possessing with the intent to distribute a controlled dangerous substance or a synthetic of the controlled dangerous substance, a counterfeit controlled dangerous substance, or imitation controlled substance;

17. "Schedule N-4" means any offense which constitutes a felony violation of the Uniform Controlled Dangerous Substances Act committed by a practitioner or a registrant;

18. "Schedule N-5" means an offense of knowingly and intentionally possessing a controlled dangerous substance or a synthetic of the controlled dangerous substance, which is a Schedule I or Schedule II controlled substance, except marihuana, and those substances listed in subsection D of Section 2-206 of Title 63 of the Oklahoma Statutes or other offenses which are a felony violation of the Uniform Controlled Dangerous Substances Act or other drug laws of the State of Oklahoma;

19. "Schedule S-1" means a Schedule S-2 sexual offense the commission of which involved the presence of aggravating

circumstances established by the state by clear and convincing evidence. An offender convicted of an S-2 offense may be sentenced as an S-1 offender if the state has alleged and proven, by clear and convincing evidence, that one or more of the following aggravating factors exist:

- a. the S-2 offense was forcibly committed upon a victim thirteen (13) years of age or younger or upon a victim sixty-five (65) years of age or older,
- b. the S-2 offense was committed with the use of a dangerous weapon,
- c. the S-2 offense was committed by two or more offenders participating in the commission of the offense,
- d. the S-2 offense was forcibly committed by an offender against a victim who is disabled by reason of mental or physical illness or impairment,
- e. the commission of the S-2 offense resulted in serious bodily injury to the victim. "Serious bodily injury" means bodily injury which involved unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty, or
- f. the commission of the S-2 offense involved torture of the victim or evidenced a depravity of mind toward the victim or created a substantial risk of death;

20. "Schedule S-2" means a sexual offense including: forcible sodomy, as provided for in Section 888 of ~~Title 21 of the Oklahoma Statutes~~ this title; first degree rape, as provided for in Sections 1111, 1114, and 1115 of ~~Title 21 of the Oklahoma Statutes~~ this title; and first degree rape by instrumentation, as provided for in Section 1114 of ~~Title 21 of the Oklahoma Statutes~~ this title;

21. "Schedule S-3" means a sexual offense involving offensive sexual contact but not involving serious bodily injury or an obscene or offensive sexual offense; and

22. "Schedule S-4" means a sexual offense involving offensive or obscene sexual conduct, without sexual contact or any other sexual offense defined as a felony.

B. Punishment for each schedule of offenses provided for in subsection A of this section shall be as provided in the sentencing matrices.

C. 1. SCHEDULE A

Killing of person engaged in performance of official duties, if first degree murder (2 O.S. § 6-206).

Homicide - murder in the first degree, malice aforethought (21 O.S. § 701.7(A), penalty contained in 21 O.S. § 701.9(A)).

Homicide - felony murder, first degree (21 O.S. § 701.7(B), penalty contained in 21 O.S. § 701.9(A)).

Homicide - murder of a child, first degree (21 O.S. § 701.7(C), penalty contained in 21 O.S. § 701.9(A)).

Homicide - murder by soliciting another to murder in furtherance of drug activity, first degree (21 O.S. § 701.7(D), penalty contained in 21 O.S. § 701.9(A)).

Homicide - murder in the first degree committed during riot (21 O.S. § 1312(1)).

2. SCHEDULE B

Killing of person engaged in performance of official duties, if second degree murder (2 O.S. § 6-206).

Attempt to kill by administering poison (21 O.S. § 651).

Intentionally and wrongfully shooting another or discharging any kind of firearm with intent to kill (21 O.S. § 652(A)).

Using a vehicle to facilitate the intentional discharge of a firearm, crossbow or other weapon in conscious disregard for the safety of others (21 O.S. § 652(B)).

Assault and battery with the intent to kill (21 O.S. § 652(C)).

Assault with intent to kill, not covered by 21 O.S. § 652 (21 O.S. § 653).

Murder in the second degree - depraved heart murder (21 O.S. § 701.8, penalty contained in 21 O.S. § 701.9(B)).

Murder in the second degree - all other felonies not enumerated in 21 O.S. § 701.7 (21 O.S. § 701.8, penalty contained in 21 O.S. § 701.9(B)).

Solicitation for murder in the first degree (21 O.S. § 701.16).

Kidnapping for purpose of extortion (21 O.S. § 745(A)).

Wiring or equipping of vehicles or structures with explosives with the intent to cause bodily injury or death (21 O.S. § 849).

Murder in the second degree committed during riot; arson in the first degree committed during riot, arson resulting in personal injury committed during riot (21 O.S. § 1312(1)).

Arson in the first degree, inhabited building (21 O.S. § 1401).

Endangering human life during commission of arson (21 O.S. § 1405).

Arson resulting in personal injury (21 O.S. § 1405).

Bombs and explosives - placing any gunpowder, dynamite, bomb, any explosive substance, or incendiary device in, upon, under, against or near to any building, car, aircraft, motor or other vehicle, vessel or structure with unlawful intent to destroy, throw down, or injure, in whole or in part, such property of another, if personal injury results or conspiring, aiding, counseling, or procuring the destruction of any building or structure, public or private, or any car, aircraft, motor or other vehicle, vessel, or structure, if personal injury results (21 O.S. § 1767.1(A)(1), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - placing any gunpowder, dynamite, bomb, or any explosive substance, in, upon, under, against or near to any building, car, aircraft, motor or other vehicle, vessel or structure

with unlawful intent to destroy, throw down, or injure, the whole or part thereof, under circumstances that, if such intent were accomplished, human life or safety would be endangered, if personal injury results (21 O.S. § 1767.1(A)(2), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - every person who maliciously, by the explosion of gunpowder, dynamite, or any explosive substance, destroys, throws down, or injures any property of another, or by which explosion an injury is caused to the person of another, if personal injury results (21 O.S. § 1767.1(A)(3), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - any person, or group of persons who willfully manufacture, sell, transport, or possess a bomb or simulated bomb or other explosive including an incendiary device or the component parts of an explosive or incendiary device with knowledge or intent that it will be used to unlawfully kill, injure or intimidate any person or unlawfully damage any real or personal property, if personal injury results (21 O.S. § 1767.1(A)(4), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - placing any foul, poisonous, offensive or injurious substance or compound or simulated bomb in, upon, under against or near to any building, car, aircraft, motor or other vehicle, vessel or structure with intent to wrongfully injure, molest or coerce another or to injure or damage the property of another, if personal injury results (21 O.S. § 1767.1(A)(5), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - any person or group of persons who maliciously injures, damages or attempts to damage by any explosive, including any incendiary device, any person, persons, or property, whether real or personal, if personal injury results (21 O.S. § 1767.1(A)(6), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - using the telephone or other instrument to willfully make any threat or maliciously convey information known to be false, concerning an attempt or alleged attempt to kill, injure or intimidate any person or unlawfully damage any real or personal property by means of an explosive or simulated bomb, including an incendiary device, if personal injury results (21 O.S. § 1767.1(A)(7), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - any person who manufactures, possesses, sells or delivers an explosive or simulated bomb or mails or sends an explosive or simulated bomb to another person, if personal injury results (21 O.S. § 1767.1(A)(8), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - any person who, while committing or attempting to commit any felony, possesses, displays or threatens to use any explosive or simulated bomb, if personal injury results (21 O.S. § 1767.1(A)(9), penalty contained in 21 O.S. § 1767.2).

Violation of any provision of Oklahoma Explosives and Blasting Regulations Act, if committed with the knowledge or intent that any explosive or blasting agent involved was used to kill, injure or intimidate any person or unlawfully to damage any real or personal property; or if knowledge or intent and personal injury results; or if death results (63 O.S. § 124.8(B)).

### 3. SCHEDULE C

Interference with persons engaged in official duties with a deadly or dangerous weapon (2 O.S. § 6-206).

Willful or malicious abuse or neglect of a child or permitting such acts, if abuse is sexual abuse or if abuse is willful or malicious torture or maiming (10 O.S. § 7115).

Accessory to murder (21 O.S. § 175(5)).

Assault and battery with a deadly weapon (21 O.S. § 652(C)).

Manslaughter in the first degree (21 O.S. § 711, penalty contained in 21 O.S. § 715).

Intoxicated physician, manslaughter in the first degree (21 O.S. § 712, penalty contained in 21 O.S. § 715).

Willful killing of an unborn quick child, manslaughter in the first degree (21 O.S. § 713, penalty contained in 21 O.S. § 715).

Destruction of unborn child, abortion, manslaughter in the first degree (21 O.S. § 714, penalty contained in 21 O.S. § 715).

Maiming (21 O.S. § 751, penalty contained in 21 O.S. § 759).

Robbery or attempted robbery with a dangerous weapon or imitation firearm (21 O.S. § 801).

Abuse, neglect, or financial exploitation by a caretaker of any person entrusted to his or her care (21 O.S. § 843.1(A), penalty contained in 21 O.S. § 843.1(B)).

Burglary with explosives (21 O.S. § 1441).

Maiming committed during riot (21 O.S. § 1312(1)).

Committing felony is possession or control of firearm with removed, defaced, etc., serial number (21 O.S. § 1550(A)).

Bombs and explosives - placing any gunpowder, dynamite, bomb, any explosive substance, or incendiary device in, upon, under, against or near to any building, car, aircraft, motor or other vehicle, vessel or structure with unlawful intent to destroy, throw down, or injure, in whole or in part, such property of another, if no personal injury results, or conspiring, aiding, counseling, or procuring the destruction of any building or structure, public or private, or any car, aircraft, motor or other vehicle, vessel, or structure, if no personal injury results (21 O.S. § 1767.1(A)(1), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - placing any gunpowder, dynamite, bomb or any explosive substance, in, upon, under, against or near to any building, car, aircraft, motor or other vehicle, vessel or structure with unlawful intent to destroy, throw down, or injure, the whole or part thereof, under circumstances that, if such intent were accomplished, human life or safety would be endangered, if no

personal injury results (21 O.S. § 1767.1(A) (2), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - every person who maliciously, by the explosion of gunpowder, dynamite, or any explosive substance, destroys, throws down, or injures any property of another, or by which explosion an injury is caused to the person of another, if no personal injury results (21 O.S. § 1767.1(A) (3), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - any person, or group of persons who willfully manufacture, sell, transport, or possess a bomb or simulated bomb or other explosive including an incendiary device or the component parts of an explosive or incendiary device with knowledge or intent that it will be used to unlawfully kill, injure or intimidate any person or unlawfully damage any real or personal property, if no personal injury results (21 O.S. § 1767.1(A) (4), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - placing any foul, poisonous, offensive or injurious substance or compound or simulated bomb in, upon, under, against or near to any building, car, aircraft, motor or other vehicle, vessel or structure with intent to wrongfully injure, molest or coerce another or to injure or damage the property of another, if no personal injury results (21 O.S. § 1767.1(A) (5), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - any person or group of persons who maliciously injures, damages or attempts to damage by any explosive, including any incendiary device, any person, persons, or property, whether real or personal, if no personal injury results (21 O.S. § 1767.1(A) (6), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - using the telephone or other instrument to willfully make any threat or maliciously convey information known to be false, concerning an attempt or alleged attempt to kill, injure or intimidate any person or unlawfully damage any real or

personal property by means of an explosive or simulated bomb, including an incendiary device, if no personal injury results (21 O.S. § 1767.1(A)(7), penalty contained in 21 O.S. § 1767.2).

Bombs and explosives - any person who manufactures, possesses, sells or delivers an explosive or simulated bomb or mails or sends an explosive or simulated bomb to another person, if no personal injury results (21 O.S. § 1767.1(A)(8), penalty contained in 21 O.S. § 1767.2)

Bombs and explosives - any person who, while committing or attempting to commit any felony, possesses, displays or threatens to use any explosive or simulated bomb, if no personal injury results (21 O.S. § 1767.1(A)(9), penalty contained in 21 O.S. § 1767.2).

Seizure of bus by force or violence (21 O.S. § 1903(A)).

Seizure or assault and battery of bus driver, etc., while using a dangerous or deadly weapon (21 O.S. § 1903(C)).

Discharge or hurl missile into or within a bus, terminal or other transportation facility (21 O.S. § 1903(E)).

Performing or inducing an abortion upon a pregnant woman after her unborn child has become viable unless such abortion is necessary to prevent the death of the pregnant woman or to prevent impairment of her health (63 O.S. § 1-732(A)).

Performing or inducing an abortion upon oneself (63 O.S. § 1-733).

No person shall purposely take the life of a child born as a result of an abortion or attempted abortion which is alive when partially or totally removed from the uterus of the pregnant woman (63 O.S. § 1-734(A)).

No person shall purposely take the life of a viable child who is alive while inside the uterus of the pregnant woman and may be removed alive therefrom without any significant danger to her life or health (63 O.S. § 1-734(B)).

Any person who performs, induces, or participates in the performance or inducing of an abortion shall take all reasonable measures to preserve the life of a child who is alive when partially or totally removed from the uterus of the pregnant woman, so long as such measures do not create significant health or death risks to the mother (63 O.S. § 1-734(C)).

Violation of any provision of Oklahoma Explosives and Blasting Regulations Act, if committed without knowledge or intent that any explosive or blasting agent involved was used to kill, injure or intimidate any person or unlawfully to damage any real or personal property (63 O.S. § 124.8(B)).

#### 4. SCHEDULE D

Interference with persons engaged in official duties with a deadly or dangerous weapon (2 O.S. § 6-206).

Willful or malicious abuse or neglect of a child or willful or malicious injury, or use of unreasonable force upon a child or permitting such acts (10 O.S. § 7115).

Eluding police officer in motor vehicle resulting in accident with great bodily injury to others (21 O.S. § 540A(B)).

Willfully avoiding, or failing to stop at roadblocks (21 O.S. § 540(B)).

Domestic abuse subsequent offense (21 O.S. § 644(C)).

Assault, battery, or assault and battery with any sharp or dangerous weapon with intent to injure (21 O.S. § 645; see also: §§ 641 - 643).

Shooting with intent to injure (21 O.S. § 645; see also: §§ 641 - 643).

Assault and battery with a motor vehicle (21 O.S. § 645; see also: §§ 641 - 643).

Assault and battery by other means or force as is likely to produce death (21 O.S. § 652(C)).

Maiming oneself (21 O.S. § 751, penalty contained in 21 O.S. § 759).

Robbery by force or fear, first degree (21 O.S. § 797, penalty contained in 21 O.S. § 798).

Conjoint robbery - robbery by two or more persons (21 O.S. § 800).

Willfully poisoning food, drink, or medication with intent to cause injury (21 O.S. § 832(A)(1)).

Willfully poisoning or placing any Schedule I - V drug (as defined in 63 O.S. §§ 2-203 through 2-212) or any other object or substance which is harmful to human life in any spring, well, or water reservoir (21 O.S. § 832(A)(2)).

Assaults by masked or disguised person with a dangerous weapon (21 O.S. § 1303).

Robbery committed during riot; arson in the second degree committed during riot (21 O.S. § 1312(1)).

Arson in the second degree, unoccupied or uninhabited building (21 O.S. § 1402).

Burglary in the first degree (21 O.S. § 1431, penalty contained in 21 O.S. § 1436).

Assault and battery on bus driver, attendant, guard, or passenger with intent to seize bus (21 O.S. § 1903(B)).

Boarding a bus with a dangerous or deadly concealed weapon (21 O.S. § 1903(D)).

Throwing or dropping object on or at moving vehicles (47 O.S. § 11-1111).

Performing or inducing an abortion upon a pregnant woman by a person that is not a licensed physician (63 O.S. § 1-731(A)).

Performing or inducing an abortion upon a pregnant woman subsequent to the end of the first trimester unless performed in a hospital (63 O.S. § 1-731(B)).

5. SCHEDULE D-1

Interference with persons engaged in official duties (2 O.S. § 6-206).

Aggravated assault and battery upon a peace officer (21 O.S. § 650(A)).

Aggravated assault and battery upon a DOC employee by person in DOC custody (21 O.S. § 650.2(A)).

Aggravated assault and battery upon a DHS employee by person in custody of DHS (21 O.S. § 650.2(B)).

Aggravated assault upon emergency medical technician or other emergency medical care provider (21 O.S. § 650.5)

Battery upon emergency medical technician or other emergency medical care provider (21 O.S. § 650.5).

Assault and battery upon emergency medical technician or other emergency medical care provider (21 O.S. § 650.5).

Battery or assault and battery upon officer, witness, or juror of state district, appellate, or Workers' Compensation court, or within 6 months of the officer, witness, or juror's service (21 O.S. § 650.6(B)).

Aggravated assault and battery upon an employee of a state facility for delinquent children (21 O.S. § 650.8(A), penalty contained in 21 O.S. § 9).

Putting body wastes or fluids upon government employee or contractor (21 O.S. § 650.9).

Assault and battery in resisting the execution of legal process (21 O.S. § 652(C)).

~~Assaults~~ Assault with intent to commit a felony (21 O.S. § 681).

Manslaughter in the second degree (21 O.S. § 716, penalty contained in 21 O.S. § 722).

Owner of known mischievous animal which kills a person (21 O.S. § 717, penalty contained in 21 O.S. § 722).

Kidnapping (21 O.S. § 741).

Second degree robbery, robbery accomplished in any manner other than by force or fear (21 O.S. § 797, penalty contained in 21 O.S. § 799).

Hate crimes, malicious assault or battery with the intent to intimidate or harass because of a person's race, color, religion, ancestry, national origin, or disability, felony upon second or subsequent conviction (21 O.S. § 859(A)(1), penalty contained in 21 O.S. §§ 850(D), 850(F)).

Hate crimes, maliciously damage, destroy, vandalize or deface any real or personal property of another person, with the intent to intimidate or harass because of a person's race, color, religion, ancestry, national origin, or disability, felony upon second or subsequent conviction (21 O.S. § 850(A)(2), penalty contained in 21 O.S. §§ 850(D), 850(F)).

Hate crimes, maliciously threaten, by word or act, to do any act prohibited by 21 O.S. § 850(A)(1) or (A)(2) with the intent to intimidate or harass because of a person's race, color, religion, ancestry, national origin, or disability if there is reasonable cause to believe that such act will occur, felony upon second or subsequent conviction (21 O.S. § 850(A)(3), penalty contained in 21 O.S. §§ 850(D), 850(F)).

Hate crimes, maliciously making or transmitting, causing or allowing to be transmitted any telephone or electronic message with the specific intent to incite or produce, and which is likely to incite or produce, imminent violence which is directed at another because of that person's race, color, religion, ancestry, national origin, or disability, felony upon second or subsequent conviction (21 O.S. § 850(B), penalty contained in 21 O.S. §§ 850(D), 850(F)).

Hate crimes, maliciously broadcasting or causing to be broadcast, publishing or causing to be published, or distributing or causing to be distributed any message or material with the specific intent to incite or produce, and which is likely to incite or

produce, imminent violence which is directed at another because of that person's race, color, religion, ancestry, national origin, or disability, felony upon second or subsequent conviction (21 O.S. § 850(C), penalty contained in 21 O.S. §§ 850(D), 850(F)).

Burglary in the second degree (21 O.S. § 1435).

Carrying a weapon with intent to injure another (21 O.S. § 1278).

Use of firearm or other offensive weapon while committing or attempting to commit a felony (21 O.S. § 1287).

Willfully pointing firearms at another (21 O.S. § 1289.16, penalty contained in 21 O.S. § 1289.17).

Use or attempted use of restricted bullets (21 O.S. § 1289.21).

Committing or attempting to commit felony while wearing body armor (21 O.S. § 1289.26).

Committing or attempting to commit felony while wearing body armor (21 O.S. § 1289.26).

Arson in the fourth degree, attempted arson or causing arson (21 O.S. § 1404).

Second degree robbery committed during riot; manslaughter in the second degree committed during riot; arson in the fourth degree committed during riot (21 O.S. § 1312(1)).

Discharging firearm or weapon at train or rail-mounted work equipment (21 O.S. § 1752.1(B)).

Person or persons commanding employee of railroad to enter steam boiler, firebox or smoke chamber when same is under steam pressure when such command results in employee's accidental death (40 O.S. § 183, penalty contained in 21 O.S. § 722; see also: 21 O.S. § 716).

Mistreatment of patient by officer or employee of Department of Mental Health and Substance Abuse Services (43A O.S. § 2-219).

Violation of rules and regulations regarding methadone programs (43A O.S. § 3-601(B), penalty contained in 21 O.S. § 9).

Failure to stop at scene of an accident involving death (47 O.S. § 10-102.1).

Interfering with official traffic control device or any railroad sign or signal which results in personal injury to or death of any person (47 O.S. § 11-207(B)).

Threat or violence, or attempted interference or obstruction of duties of any Director of Conservation or Field Supervisors or any agent or employee of the Corporation Commission accompanied by the use or attempted use of firearms (52 O.S. § 114).

6. SCHEDULE D-2

Battery or assault and battery upon a police officer or other peace officer (21 O.S. § 649(B)).

Killing a police dog or police horse during the commission of a misdemeanor or felony (21 O.S. § 649.2).

Assault on member or body of National Guard who has been called into service (44 O.S. § 210).

Failure to stop at scene of an accident causing a nonfatal injury (47 O.S. § 10-102(b)).

7. SCHEDULE E

Sale or transport of adulterated poultry products for use as human food (2 O.S. § 6-259(A)(2)(a), penalty contained in 2 O.S. § 6-262).

Willful burning of forest, grass, or woodlands not authorized by owner or agent (2 O.S. § 1301-205).

Willful burning of forest, grass, woods, wild lands, or marshes (2 O.S. § 1301-208).

Illegal possession of incendiary device with the intent to burn (2 O.S. § 1301-214).

Possession of an aircraft without the consent of the owner (3 O.S. § 321(A)).

Willfully and knowingly injuring or destroying or attempting to injure or destroy any pipeline transportation system (17 O.S. § 6.1(C)).

Assisting disposing, receiving, possessing, or exchanging money or property during kidnapping for extortion (21 O.S. § 745(B)).

Willfully aiding suicide (21 O.S. § 813, penalty contained in 21 O.S. § 817).

Knowingly furnishing weapons or drugs to person intending to commit suicide (21 O.S. § 814, penalty contained in 21 O.S. § 817).

Willfully aiding in attempted suicide (21 O.S. § 815, penalty contained in 21 O.S. § 818).

Desertion of children under the age of 10 (21 O.S. § 851).

Willful omission to provide for a child by parent or guardian, felony after second or subsequent conviction (21 O.S. § 852(A)).

Willful delinquency of child support payments if no payment made for a period of one year, after September 1, 1993, or if the amount of delinquency exceeds \$5,000 (21 O.S. § 852(A)).

Leaving the state to avoid providing necessary food, clothing, shelter, court-ordered monetary support, or medical attendance for child (21 O.S. § 852(B)).

Child endangerment - knowingly permitting physical or sexual abuse (21 O.S. § 852.1(A), penalty contained in 21 O.S. § 852.1(C)).

Desertion or abandonment of wife or minor child or children under age 15 (21 O.S. § 853).

Gangs, knowingly causing or soliciting a minor to participate in gang, second and subsequent conviction (21 O.S. § 856(E)).

Causing, aiding, abetting, or encouraging a minor to participate in certain drug related crimes (21 O.S. § 856.1(1) through § 856.1(5)).

Neglect of minor who has been adjudicated delinquent, in need of supervision or deprived (21 O.S. § 858.2, penalty contained in 21 O.S. § 856 or § 858.1).

Child stealing (21 O.S. § 891).

Stalking, when temporary restraining order, protective order emergency ex parte order or injunction in effect prohibiting the behavior set forth in 21 O.S. § 1173(A) (21 O.S. § 1173(B)(1)).

Stalking, when said person is on probation or parole, a condition of which prohibits behavior set forth in 21 O.S. § 1173(A) (21 O.S. § 1173(B)(2)).

Stalking, when said person, within 10 years preceding the violation of 21 O.S. § 1173(A), completed the execution of sentence or conviction of a crime involving the use or threat of violence against the same party or a member of the immediate family of such party (21 O.S. § 1173(B)(3)).

Stalking, after second conviction (21 O.S. § 1173(C)).

Stalking, committed within 10 years of prior conviction under subsection A or B (21 O.S. § 1173(D)).

Spread of infectious diseases (21 O.S. § 1192).

Interfering with firemen in performance of duties (21 O.S. § 1217).

Administration of certain substances or performance of certain procedures to alter the appearance of exhibition livestock (21 O.S. § 1229).

Unlawful hazardous waste transportation (21 O.S. § 1230.3, penalty contained in 21 O.S. § 1230.8(1)).

Unlawful waste management, hazardous waste (21 O.S. § 1230.4, penalty contained in ~~230.8(2)(b)~~ 21 O.S. § 1230.8(2)(b)).

Unlawful misrepresentation of waste, hazardous waste (21 O.S. § 1230.5, penalty contained in 21 O.S. § 1230.8(3)(b)).

Unlawful disposal of hazardous waste (21 O.S. § 1230.6, penalty contained in ~~230.8(4)~~ 21 O.S. § 1230.8(4)).

Unlawful concealment of hazardous waste (21 O.S. § 1230.7, penalty contained in 21 O.S. § 1230.8(5)).

Carrying weapons or firearms into establishments where beer or intoxicating beverages are consumed (21 O.S. § 1272.1, penalty contained in 21 O.S. § 1272.2).

Possession of firearm or weapon on school property or in school bus or vehicle (21 O.S. § 1280.1(A), penalty contained in 21 O.S. § 1280.1(D)).

Carrying or using slingshot (21 O.S. § 1282).

Convicted felons carrying or possessing firearms (21 O.S. § 1283(A), penalty contained in 21 O.S. § 1284).

Person supervised by DOC possessing firearms (21 O.S. § 1283(B), penalty contained in 21 O.S. § 1284).

Delinquent minor possessing firearms (21 O.S. § 1283(C), penalty contained in 21 O.S. § 1284).

Unlawful for any person supervised by DOC to have in possession or immediate control in residence or in passenger vehicle any pistol, shotgun, or rifle, while subject to supervision, probation, parole or inmate status (21 O.S. § 1283(D), penalty contained in 21 O.S. § 1284).

Person previously adjudicated as a delinquent for offense which would have been felony if committed by an adult, to have in possession or control imitation or homemade pistol, machine gun, sawed-off shotgun or rifle, or any other deadly or dangerous firearm (21 O.S. § 1283(E), penalty contained in 21 O.S. § 1284).

Person with concealed handgun license who knowingly allows a convicted felon or adjudicated delinquent possess or have control of any pistol (21 O.S. § 1283(F), penalty contained in 21 O.S. § 1284).

Convicted or adjudicated person violating provisions (21 O.S. § 1283(G), penalty contained in 21 O.S. § 1284).

Possession of sawed-off shotgun or rifle (21 O.S. § 1289.18).

Manufacture, importation, advertisement or sale of restricted bullets (21 O.S. § 1289.20).

Knowingly or intentionally carrying a concealed handgun pursuant to a concealed handgun license authorized and issued pursuant to Oklahoma Self Defense Act which is either stolen or belongs to another person (21 O.S. § 1290.21(B)).

Trespass of masked person demanding entry to premises (21 O.S. § 1302).

Arson in the third degree committed during riot (21 O.S. § 1312(1)).

Possession of explosives by convicted felons (21 O.S. § 1368(A)).

Arson in the third degree, burning vehicles or lands or with intent to defraud insurer (21 O.S. § 1403).

Burglary in the ~~second~~ third degree (21 O.S. § ~~1435~~ 1435.1, 21 O.S. § 1436).

Grand larceny (21 O.S. §§ 1701 - 1704(1) and (2)).

Grand larceny from house or vessel (21 O.S. § 1707).

Grand larceny at night time from person (21 O.S. § 1708).

Larceny of an automobile, motor vehicle, aircraft, etc. (21 O.S. § 1720).

Larceny from house (21 O.S. §§ 1723 and 1724).

Death from displacing of railroad equipment (21 O.S. § 1752).

Interference with railroad property resulting in personal injury (21 O.S. § 1752.1(B)).

Removing or masking a train light signal, false light or signal (21 O.S. § 1778).

Owning, operating, or conducting a chop shop (47 O.S. § 1503(A)(1)).

Transporting a motor vehicle to or from a chop shop (47 O.S. § 1503(A)(2)).

Selling, transferring, or receiving a vehicle from a chop shop (47 O.S. § 1503(A)(3)).

Knowingly altering or defacing a vehicle identification number (47 O.S. § 1503(B)).

Buying, selling, disposing of, or possessing any vehicle with knowledge that the identification number has been altered (47 O.S. § 1503(C) (1)).

Committing any of the violations in subsection A, B or C of § 1503 of Title 47 or taking a substantial step toward the commission of any of the offenses (47 O.S. § 1503(D)).

Committing solicitation with the intent that a violation of subsection A, B or C of Section 1503 of Title 47 occurs (47 O.S. § 1503(F)).

Aiding or abetting before or during the commission of a violation of subsection A, B or C of § 1503 of Title 47 (47 O.S. § 1503 (G)).

#### 8. SCHEDULE F

Bribery of agriculture inspectors or other officers authorized to act by the Board of Agriculture (2 O.S. § 6-194).

Acceptance of bribe by an official authorized to act by the Board of Agriculture (2 O.S. § 6-194).

Testifying falsely under oath in any proceeding before the Commission (3A O.S. § 203.6(C), penalty contained in 21 O.S. § 500(3)).

Giving, offering, or accepting bribe by any person having duties in relation to any race (3A O.S. § 208.8(A) (1), penalty contained in 3A O.S. § 208.8(B)).

Banks prohibited from making political contributions - willful violation (6 O.S. § 808(A), penalty contained in 6 O.S. § 808(B)).

Bank, banker or bank official giving preference to any depositor or creditor by pledging assets of bank as collateral security or transferring assets of insolvent bank in consideration of any deposit in such bank (6 O.S. § 809).

Bank or trust company lending to any officer, director or employee any funds held in trust (6 O.S. § 1011, penalty contained in 6 O.S. § 1414(A)(2)).

Solicitation, acceptance, or agreement to accept gratuity, compensation or personal benefit by affiliate of bank or trust company, or officer or director or employee of trust company (6 O.S. § 1405(A)(1), penalty contained in 6 O.S. § 1414(A)(2)).

Affiliate of bank or trust company, or officer or director or employee of trust company having an interest in proceeds of a loan or of a purchase or sale made by the bank (6 O.S. § 1405(A)(2), penalty contained in 6 O.S. § 1414(A)(2)).

Affiliate of bank or trust company, or officer or director or employee of trust company having an interest in any purchase at less than face value (6 O.S. § 1405(A)(3), penalty contained in 6 O.S. § 1414(A)(2)).

Receipt of deposit by bank after notice of insolvency (6 O.S. § 1406, penalty contained in 6 O.S. § 1414(A)(2)).

Serving as director or officer of bank after having previously been convicted of a banking law violation, or a felony involving dishonesty or a breach of trust (6 O.S. § 1407(1), penalty contained in 6 O.S. § 1414(A)(2)).

Serving as director or officer of bank while indebted to bank for more than 30 days upon judgment that has become final (6 O.S. § 1407(2), penalty contained in 6 O.S. § 1414(A)(2)).

Serving as Commissioner, Deputy Commissioner, Administrative Assistant or Assistant Banking Commissioner after previous conviction of banking law violation, or felony involving dishonesty or breach of trust (6 O.S. § 1408, penalty contained in 6 O.S. § 1414(A)(2)).

Unlawful concealment of bank or trust company transactions (6 O.S. § 1409, penalty contained in 6 O.S. § 1414(A)(2)).

Officer, Director, employee, or agent of bank or trust company maintaining or authorizing maintenance of bank account in a manner inconsistent with the Banking Code (6 O.S. § 1410(1), penalty contained in 6 O.S. § 1414(A)(2)).

Officer, Director, employee, or agent of bank or trust company making any false or misleading statement or entry or omit any statement or entry that should be made in any bank account, report or statement of the institution with the intent to deceive (6 O.S. § 1410(2), penalty contained in 6 O.S. § 1414(A)(2)).

Obstruct or endeavor to obstruct examination of institution by officer or employee of Department (6 O.S. § 1410(3), penalty contained in 6 O.S. § 1414(A)(2)).

Unlawful reimbursement or payment of penalty or judgment of another person by a bank or trust company (6 O.S. § 1411, penalty contained in 6 O.S. § 1414(A)(2)).

Embezzlement or misapplication of funds under the control of a bank or trust company by any officer, director, shareholder or employee with the intent to deceive, injure, cheat, wrong, or defraud any person (6 O.S. § 1412, penalty contained in 6 O.S. § 1414(A)(2)).

Falsely swearing or signing a false affidavit that one is qualified for municipal office (11 O.S. § 16-306(C), penalty contained in 21 O.S. § 9).

Use of money in a district fund in manner other than as provided (11 O.S. § 39-113(B)).

Any person making a false affidavit as to the value of any real estate or any officer administering or accepting such affidavit knowing it to be false (12 O.S. § 65, penalty contained in 21 O.S. § 505).

Any person willfully swearing falsely in making an affidavit in forma pauperis (12 O.S. § 923, penalty contained in 21 O.S. § 500).

Any person who enters into or assists in making contract for the sale of future delivery of cotton, grain, stocks, or other commodities, that is not carried out or discharged upon the floor of a board of trade or exchange (15 O.S. § 564, penalty contained in 15 O.S. § 567).

Making a false statement in an application for a closing out sale (15 O.S. § 767(D), penalty contained in 21 O.S. § 9).

Any person or committee who diverts funds collected for chambers of commerce or similar associations from the purposes for which they were solicited or collected (18 O.S. § 411).

Any election officer or commissioner who shall knowingly and willfully fail or refuse to perform the duties required (19 O.S. § 28, penalty contained in 21 O.S. § 9).

Any person or corporation offering money or other thing of value, either directly or indirectly, for the purpose of influencing any voter for or against any proposition in election (19 O.S. § 29).

Refusal of any inspector, judge or clerk, or other person to extend and enforce the right granted by the act (19 O.S. § 90, penalty contained in 21 O.S. § 9).

Any election officer who shall knowingly or willfully fail and refuse to perform the duties required of him (19 O.S. § 91, penalty contained in 21 O.S. § 9).

Any person or corporation offering money, or other thing of value, either directly or indirectly, for the purpose of influencing any voter for or against any competing city, town, or place in election for county seat (19 O.S. § 92).

Any county treasurer violating any provisions of the County Depositories Act (19 O.S. § 112).

Any county commissioner who knowingly or willfully fails or refuses to comply with the duties set forth in § 333 (19 O.S. § 333, penalty contained in 19 O.S. § 333.1; see also: 21 O.S. § 9).

Embezzlement by county treasurer, or other officer (19 O.S. § 641).

Failure by county treasurer to comply with duties as official depository (19 O.S. § 681, penalty contained in 19 O.S. § 686).

Failure by county officers, boards or commissioners to comply with regulations requiring them to deposit moneys in the official depository (19 O.S. § 682, penalty contained in 19 O.S. § 686).

Attempt to conceal death of child after prior felony conviction (21 O.S. § 53).

Knowing and willful violation of limitation on individual or family campaign contributions in which aggregate contribution is \$5,000 in excess of limitations set by 21 O.S. § 1871.1(A) (21 O.S. § 187.1(C)).

Any person who knowingly and willingly violates this section relating to corporate campaign contributions in which the aggregate amount contributed exceeds \$5,000 (21 O.S. § 187.2(E)).

Bribing or offering to bribe an executive or administrative officer (21 O.S. § 265; see also: 21 O.S. § 279).

Asking or receiving bribes by executive or administrative officer (21 O.S. § 266; see also: 21 O.S. § 279).

Any public officer taking a reward for making appointment or deputation (21 O.S. § 275).

Willfully preventing meetings of Legislature (21 O.S. § 301; see also: 21 O.S. § 312).

Willfully and by force or fraud compelling adjournment of Legislature (21 O.S. § 303; see also: 21 O.S. § 312).

Willfully compelling Legislature to perform or omit act (21 O.S. § 305; see also: 21 O.S. § 312).

Fraudulently altering drafts of bills or resolutions (21 O.S. § 306; see also: 21 O.S. § 312).

Altering engrossed copy or enrollment of bill (21 O.S. § 307; see also: 21 O.S. § 312).

Willful bribery of or influencing members of the Legislature (21 O.S. § 308; see also: 21 O.S. § 312).

Soliciting bribes or trading votes by member of either house of the Legislature (21 O.S. § 309; see also: 21 O.S. § 312).

Bribery of member of state Legislature (21 O.S. § 318, penalty contained in 21 O.S. § 320).

Member of the Legislature soliciting or securing employment with a state department or institution (21 O.S. § 321, penalty contained in 21 O.S. § 322).

Retaining or employing a lobbyist for compensation contingent upon influencing official action or legislation (21 O.S. § 334).

Embezzlement and false accounts by public officers (21 O.S. § 341).

Willfully injuring, burning or destroying public buildings or improvements (21 O.S. § 349).

Seizing or taking away arms, ammunition, military stores or supplies from fort, magazine, arsenal, armory, or arsenal yard or encampment or entering such place with intent to do so (21 O.S. § 350).

Member of governing body furnishing public supplies for consideration, contract or purchase (21 O.S. § 355, penalty contained in 21 O.S. § 357; see also: 21 O.S. § 357).

Making, presenting or causing to be presented false, fictitious or fraudulent claims upon or against the State (21 O.S. § 358, penalty contained in 21 O.S. § 359).

Willfully coercing political participation of state employees or retaliating against state employees for either exercising his or her rights or for not participating in permitted political activities (21 O.S. § 360).

Bribery committed by fiduciary (21 O.S. § 380(A)).

Bribery of a fiduciary (21 O.S. § 380(B)).

Bribing officers (21 O.S. § 381).

Officers receiving bribes or soliciting offers (21 O.S. § 382).

Bribing jurors, referees, arbitrators, umpires, or assessors, etc. (21 O.S. § 383).

Jurors, referees, arbitrators, umpires, or assessors, etc. receiving bribes (21 O.S. § 384).

Conspiracy outside state against peace of the state (21 O.S. § 422; see also: 21 O.S. § 423).

Conspiracy against the state (21 O.S. § 424).

Attempt to escape from penitentiary (21 O.S. § 434).

Attempt to escape from prison other than penitentiary (21 O.S. § 436).

Assisting felony prisoner to escape (21 O.S. § 437(1)).

Carrying into prison things to aid escape (21 O.S. § 438(1)).

Harboring criminals and fugitives (21 O.S. § 440).

Escape from penal institution, while in county or city jail or juvenile detention facility awaiting felony charges or trial (21 O.S. § 443(A)).

Escape from penal institution by inmate in custody of DOC, while actually confined, while under house arrest program, while on preparole, or as trustee (21 O.S. § 443(B)).

Unauthorized entry into penal institution, jail, etc. (21 O.S. § 445).

Offering false evidence (21 O.S. § 451).

Preparing false evidence (21 O.S. § 453).

Willfully preventing witness from testifying (21 O.S. § 455(A)).

Intimidating state's witness (21 O.S. § 455(B)).

Bribing of witness-subornation of perjury (21 O.S. § 456).

Larceny or destruction of records by clerk or officer (21 O.S. § 461).

Larceny or destruction of records by nonofficers (21 O.S. § 462).

Offering forged or false instruments for the record (21 O.S. § 463).

Perjury, when committed during felony trial (21 O.S. § 500 (First); see also: §§ 491-499).

Perjury, when committed in any other trial or court proceeding (21 O.S. § 500 (Second); see also: §§ 491-499).

Perjury, in all other proceedings (21 O.S. § 500 (Third); see also: §§ 491-499).

Subornation of perjury and attempted subornation of perjury, when committed during a felony trial (21 O.S. § 504, penalty contained in 21 O.S. § 505; see also: 21 O.S. § 500 (First)).

Subornation of perjury and attempted subornation of perjury, when committed in any other trial or court proceeding (21 O.S. § 504, penalty contained in 21 O.S. § 505; see also: 21 O.S. § 500 (Second)).

Subornation of perjury and attempted subornation of perjury, at all other proceedings (21 O.S. § 504, penalty contained in 21 O.S. § 505; see also: 21 O.S. § 500 (Third)).

Rescuing, attempting to rescue or aiding another in a rescue or attempted rescue of a felony prisoner from lawful custody (21 O.S. § 521(1)).

Any officer who mutilates, destroys, conceals, erases, obliterates or falsifies any record or paper appertaining to this office (21 O.S. § 531(1)).

Embezzlement by officer (21 O.S. § 531(2)).

Officer willfully or carelessly allowing escapes (21 O.S. § 532(1)).

Officer receiving gratuity or reward or any security or promise to procure, assist connive at or permit escape (21 O.S. § 532(2)).

Officer committing any unlawful act to hinder justice (21 O.S. § 532(3)).

Resisting execution of process in time of insurrection (21 O.S. § 539).

Compounding crimes, when crime compounded is punishable by death or life imprisonment (21 O.S. § 543(1)).

Compounding crimes, when crime compounded is punishable for less than life imprisonment (21 O.S. § 543(2)).

Recording, listening or observing grand or petit jury proceedings while jury is deliberating or voting (21 O.S. § 588).

Harboring runaway child, subsequent offense (21 O.S. § 856.2).

Trafficking in children, second or subsequent offense (21 O.S. §§ 865-867).

Advocating or teaching criminal syndicalism or sabotage - printing publishing or organizing society membership (21 O.S. § 1263).

Destroying or interfering with property with intent to hinder defense preparation or prosecution of war (21 O.S. § 1265.2).

Intentionally causing defects in articles used in defense preparation or prosecution of war (21 O.S. § 1265.3).

Attempt of 21 O.S. §§ 1265.2 or 1265.3, sabotage of defense or war effort (21 O.S. § 1265.4).

Conspiracies to violate the sabotage prevention act (21 O.S. § 1265.5).

Advocating overthrow of government by force (21 O.S. § 1266).

Unlawful acts relating to Communism, including overthrow, attempt or conspiracy to overthrow the government (21 O.S. §§ 1266.4, penalty contained in 21 O.S. § 1266.5).

Organizing or assisting to organize groups advocating or encouraging overthrow of government (21 O.S. § 1267.1).

Failure of organization advocating or encouraging overthrow of government to register (21 O.S. § 1267.2).

Riot (21 O.S. § 1311, penalty contained in 21 O.S. § 1320.4).

Riot for purpose of obstructing justice or execution of laws (21 O.S. § 1312(2)).

Riot while carrying firearm or weapon (21 O.S. § 1312(3)).

Encouraging, soliciting, or directing riot (21 O.S. § 1312(4)).

Incitement to riot (21 O.S. § 1320.2, penalty contained in 21 O.S. § 1320.4).

Riot, unlawful assembly (21 O.S. § 1320.3, penalty contained in 21 O.S. § 1320.5).

Teaching, demonstrating, training or practicing with or being instructed in the use of firearms, explosives or incendiary devices in furtherance of riot or civil disorder (21 O.S. § 1320.10).

Maliciously destroying real or personal property during a state of emergency (21 O.S. § 1321.7(a), penalty contained in 21 O.S. § 1321.7(b)).

Guilty of an offense committed by another person under the Riot Control Act under enumerated circumstances (21 O.S. § 1321.7(d), penalty contained in 21 O.S. § 1321.7(b)).

Riot during state of emergency (21 O.S. § 1321.8(a), penalty contained in 21 O.S. § 1321.8(c)).

Guilty of offense under 21 O.S. § 1321.8, committed by another person under enumerated circumstances (21 O.S. § 1321.8(e), penalty contained in 21 O.S. § 1321.8(c)).

Advocating of unlawfulness, criminal syndicalism, sabotage upon public school grounds (21 O.S. § 1327).

Advocating of sabotage, sedition or treason upon public school grounds (21 O.S. § 1327).

Embezzlement by officer, director, etc. of corporation (21 O.S. § 1452, penalty contained in 21 O.S. § 1462).

Embezzlement by carrier, contractor or other person (21 O.S. § 1453, penalty contained in 21 O.S. § 1462).

Diversion of state funds (21 O.S. § 1463).

Aiding or assisting in resisting execution of process during time of riot or insurrection or one who aids or attempts to rescue or escape from lawful custody (22 O.S. § 107).

Jumping bail (22 O.S. § 1110).

Sale of seized liquor by an officer (22 O.S. § 1263).

False affidavit by an officer regarding seized property (22 O.S. § 1264).

Voting illegally (voting twice or when ineligible) (26 O.S. § 16-102, penalty contained in 26 O.S. § 16-101).

False swearing (26 O.S. § 16-103, penalty contained in 26 O.S. § 16-101).

Unauthorized registration of voters (26 O.S. § 16-103.1, penalty contained in 26 O.S. § 16-101).

False notarization on affidavit of absent voter (26 O.S. § 16-104, penalty contained in 26 O.S. § 16-101).

Fraud in election proceedings (26 O.S. § 16-105, penalty contained in 26 O.S. § 16-101).

Offering, soliciting, or accepting bribes to influence votes (26 O.S. § 16-106, penalty contained in 26 O.S. § 16-101).

Offering or giving bribe for withdrawal of candidacy (26 O.S. § 16-107, penalty contained in 26 O.S. § 16-101).

Acceptance of bribe for withdrawal of candidacy (26 O.S. § 16-108, penalty contained in 26 O.S. § 16-101).

Coercion to prevent person from registering to vote or voting (26 O.S. § 16-109, penalty contained in 26 O.S. § 16-101).

Game warden who solicits or accepts any bribe or money, etc. in connection with official duties (29 O.S. § 3-201(E)).

Falsely signing, signing twice, falsely making or willfully destroying an initiative petition (34 O.S. § 23).

Any person who under oath testifies falsely or makes any false affidavit during the course of any examination, investigation, or

hearing before Insurance Commissioner (36 O.S. § 317, penalty contained in 21 O.S. § 500).

Willfully making false or fraudulent statements in any verified report or declaration under oath (36 O.S. § 2737.1, penalty contained in 21 O.S. § 500).

Sales representative who diverts or appropriates funds belonging to insurers (36 O.S. § 6621(B), penalty contained in 21 O.S. § 1462).

Knowingly making false answer or false statement to Oklahoma Employment Security Commission (40 O.S. § 3-308, penalty contained in 40 O.S. § 4-506).

Oklahoma Employment Security Commission, disclosure of confidential information (40 O.S. § 4-508).

Hiring armed guards without written permit from Governor (40 O.S. § 169).

Knowingly making or receiving, directly or indirectly, a kickback (40 O.S. § 196.13(A)).

Any parent or person who violates an order of any court of this state, granting the custody of the child under 18 with the intent to deprive the lawful custodian of the child (43 O.S. § 527).

False oath or affirmation by public officer or employee (51 O.S. § 36.5).

Violation of oath or affirmation by advocating the overthrow of government by force, violence or other unlawful means (51 O.S. § 36.6).

Perjury before the Corporation Commission (52 O.S. § 108).

Verifying false documents under oath before the Corporation Commission (52 O.S. § 109).

Bribing an official of the Corporation Commission to gain influence (52 O.S. § 117).

Accepting bribe by any member of the Commission or other designated officials (52 O.S. § 118).

Escaping from prison (57 O.S. § 13).

Bringing weapons, contraband, money, controlled substance, or intoxicating beverage into jail or state penal institution (57 O.S. § 21(A)).

Inmate in possession of any gun, knife, bomb, other dangerous substance, intoxicating beverage, low-point beer, or money (57 O.S. § 21(B)).

Inmate in possession of any such item who has committed 2 or more felonies and was within 10 years of completion of sentence (57 O.S. § 21(C)).

Knowing falsification of a report or statement bearing on an examination, investigation or audit under this act (59 O.S. § 15.26).

Willfully making any false representations in procuring or attempting to procure registration under this act (59 O.S. § 353.25, penalty contained in 21 O.S. § 500).

Embezzling, abstracting, or willfully misapplying any of the money or credit of the Board (59 O.S. § 396.25).

Practicing land surveying without a license or other violation of § 475.1 et seq. - second offense (59 O.S. § 475.20).

Any person making any willfully false oath or affirmation whenever oath or affirmation is required by Oklahoma Osteopathic Medicine Act (59 O.S. § 638(B), penalty contained in 21 O.S. § 500).

Willful misstatement in affidavit as to undertaking by bondsman (59 O.S. § 1322, penalty contained in 21 O.S. § 500).

Knowingly making a false statement in an application to the council (59 O.S. § 1750.11(B)).

State commissioner or employee signing false or illegal voucher against monies deposited as in this act (62 O.S. § 81).

Willful interference with the inspections authorized by 62 O.S. § 89.11(C) or the deliberate falsification or destruction of transaction records (62 O.S. § 89.11(D)).

Any person who, with intent to defraud, uses on a public security any facsimile seal, or any reproduction of it, of this state or any of its departments, agencies, or other instrumentalities or any of its political subdivisions or districts (62 O.S. § 604(b), penalty contained in 21 O.S. § 9).

Willfully concealing, defacing, or altering a directive of another without a declarants consent (63 O.S. § 3101.11(C)).

Appraiser receiving commission or bribe for recommendation of loan or willfully placing false estimate of value on property with the intent to defraud the state (64 O.S. § 111).

Offering to pay a commission or to convey property or to pay a bribe to any appraiser or other employee of the Commissioners of the Land Office (64 O.S. § 112).

Embezzlement by any employee of the Commissioners of the Land Office (64 O.S. § 114).

Destroying, forging, falsifying, or stealing any of the records of the Commissioners of the Land Office (64 O.S. § 115).

Making or executing any sworn statement or affidavit containing false information in connection with a loan, lease, sale, or contract made by the Commissioners of the Land Office (64 O.S. § 157).

Executing any written instrument, petition, or affidavit before the Commission (64 O.S. § 251, penalty contained in 21 O.S. § 500).

Unlawful for any member, officer, or employee of the Department of Transportation to transact with the Department, either directly or indirectly, any business for profit (66 O.S. § 304(B)).

Obstructing copying of any record, book, paper, taxroll, assessment or other file or matter of record (67 O.S. § 83).

Knowingly making false answer to any question put by the Tax Commission or any of its members, touching the business, property, assets or effects of any person, firm, association or corporation, or the valuation, or the income or profits, or who makes any false

affidavit concerning any list, schedule, statement, report or return, or for any other purpose, filed with the Tax Commission or that is required by this Code (68 O.S. § 103).

Knowingly making false answers to questions from the Tax Commission (68 O.S. § 244).

Any person who signs affidavit attesting to the name, mailing address, and telephone number of the purchaser as it appears on a retail fireworks license when such person knows that it is not true (68 O.S. § 1625(d), penalty contained in 21 O.S. § 500).

Failure to file a state income tax return with the intent to defraud or evade (68 O.S. § 2376(A), penalty contained in 68 O.S. § 240.1).

Filing a state income tax return that is materially false with the intent to defraud or evade (68 O.S. § 2376(B), penalty contained in 68 O.S. § 240.1).

Unlawful for any member of the county board of equalization to sell or contract to sell or to lease or to represent any person, firm, or corporation in the sale or lease of any machinery, supplies, or equipment (68 O.S. § 2861(G), penalty contained in 68 O.S. § 2861(H)).

Unlawful for any member of the county board of equalization to serve as employee, official or attorney for any county or city or use his position to further his own interests (68 O.S. § 2861(G), penalty contained in 68 O.S. § 2861(H)).

Unlawful for any taxpayer or interested party to employ any member of the county board of equalization in any matter coming before the board (68 O.S. § 2861(G), penalty contained in 68 O.S. § 2861(H)).

Any person who makes oath to any false or fraudulent homestead exemption application (68 O.S. § 2900, penalty contained in 21 O.S. § 500).

Knowingly and willfully making, issuing, and delivering any tax receipt required to be issued by fraudulently making the receipt or its duplicate different with the intent to defraud the state (68 O.S. § 2920).

False or fraudulent list of taxable personal property under oath (68 O.S. § 2945(A), penalty contained in 21 O.S. § 500).

Conflict of interest or any violation of this provision by any official or employee of the Transportation Commission, governing body or other governmental instrumentality, or officer or employee of such person retained by the Commission (69 O.S. § 310(b)).

Any employee of the Department, Director or Commission who, in the course of such employment, knowingly accepts, approves or recommends for approval or payment any material, service, job, project or structure, or any part thereof, which does not meet the specifications thereof, or is to his knowledge otherwise more deficient in quality, quantity or design than was provided for in the plans, purchase orders or any minimum standard provided by any state agency or official (69 O.S. § 310(c)).

Unlawfully transacting business by an officer or employee of the authority for profit of such officer or employee (69 O.S. § 1705(o)).

Promising, offering, or accepting a bribe by any member of the State Board of Education in regard to the selection of textbooks (70 O.S. § 16-122).

Soliciting or receiving bribes by a member of the State Board of Education or the Textbook Commission regarding textbook selection (70 O.S. § 16-123).

Any person who shall knowingly make any false statement or who shall falsify or permit to be falsified any record or records of this retirement system in any attempt to defraud such system as a result of such act (70 O.S. § 17-110, penalty contained in 21 O.S. § 9).

Employing any device, scheme, or artifice to defraud by someone receiving consideration from another for advising as to the value of securities (71 O.S. § 102(a)(1), penalty contained in 71 O.S. § 407(a)).

Taking of rebates by officer of Office of Public Affairs (74 O.S. § 71).

Knowingly and with the intent to defraud obtain, retain, attempt to obtain or retain, or aid another in obtaining or retaining certification as a minority business enterprise (74 O.S. § 85.45h(A)(1), penalty contained in 74 O.S. § 85.45h(B)).

Making a false statement with the intent to defraud to a state official or employee for the purpose of influencing the certification or denial of certification of any entity as a minority business enterprise (74 O.S. § 85.45h(A)(2), penalty contained in 74 O.S. § 85.45h(B)).

Obstructing, impeding, or attempting to obstruct or impede one who is investigating the qualifications of a business entity which has requested certification as a minority business enterprise (74 O.S. § 85.45h(A)(3), penalty contained in 74 O.S. § 85.45h(B)).

Fraudulently obtaining, attempting to obtain, or aiding another in obtaining public monies to which the person is not entitled (74 O.S. § 85.45h(A)(4), penalty contained in 74 O.S. § 85.45h(B)).

False swearing upon one's oath (74 O.S. § 215, penalty contained in 21 O.S. § 500).

Receiving compensation for service by a state auditor, inspector, deputy, or employee other than that provided (74 O.S. § 217).

Neglect of service by a state auditor, inspector, deputy, or employee (74 O.S. § 217).

Knowingly making a false report concerning the financial condition of any office or institution required or authorized to be

examined by a state auditor, inspector, deputy, or employee (74 O.S. § 217).

False swearing before State Fire Marshal or assistant fire marshal (74 O.S. § 316).

Knowingly making or receiving, either directly or indirectly, a kickback (74 O.S. § 3404).

Making of profit by any officer of any district organized under this act or misrepresenting any material fact concerning a proposed project to any property owner when procuring signatures to a petition (82 O.S. § 674).

Unlawful for any officer or employee to have any interest in any contract (82 O.S. § 867).

Unlawful for any member, officer, or employee of the Water Resources Board to transact with the Board any business for the profit of such member, officer, or employee (82 O.S. § 1086.3).

Unlawful for director and employees to have any financial interest in any contract entered into by the district (82 O.S. § 1281).

Falsely executing written declaration as witness or misrepresenting identity with intent to defraud in relation to self-proved wills (84 O.S. § 55).

#### 9. SCHEDULE G

Forgery of official certificate (2 O.S. § 6-191(a), penalty contained in 2 O.S. § 6-207(a)).

Alteration or defacement of official mark or certificate (2 O.S. § 6-191(b)(2), penalty contained in 2 O.S. § 6-207).

Knowingly possess a counterfeit certificate (2 O.S. § 6-191(4), penalty contained in 2 O.S. § 6-207(a)).

Knowingly make false statement in certificate (2 O.S. § 6-191(5), penalty contained in 2 O.S. § 6-207(a)).

Knowingly misrepresent article (2 O.S. § 6-191(6), penalty contained in 2 O.S. § 6-207(a)).

Willfully make false statement in report required by the State Board of Agriculture (2 O.S. § 6-208(c)(1)).

Sale of article with false or misleading label (2 O.S. § 6-258(c), penalty contained in 2 O.S. § 6-262).

Making of official mark or label without authorization from the Board (2 O.S. § 6-259(B), penalty contained in 2 O.S. § 6-262).

Forgery of official device, mark, or certificate (2 O.S. § 6-259(C)(1), penalty contained in 2 O.S. § 6-262).

Use or alter, detach, deface or destroy any official device, mark or certificate or simulation thereof without authorization (2 O.S. § 6-259(C)(2), penalty contained in 2 O.S. § 6-262).

Fail to use, detach, destroy or deface any official device, mark, brand, or certificate contrary to regulations (2 O.S. § 6-259(C)(3), penalty contained in 2 O.S. § 6-262).

Knowingly possess official device or carcass bearing a counterfeit official mark (2 O.S. § 6-259(C)(4), penalty contained in 2 O.S. § 6-262).

Knowingly make false statement in official or unofficial certificate (2 O.S. § 6-259(C)(5), penalty contained in 2 O.S. § 6-262).

Knowingly misrepresent an inspected article (2 O.S. § 6-259(C)(6), penalty contained in 2 O.S. § 6-262).

Issuance of warehouse receipt for commodities that are not in store at time of issuance of receipt, or issuance of fraudulent scale ticket, or removal of commodities from store without return and cancellation of all outstanding receipts by warehouseman, employee or manager of a public warehouse (2 O.S. § 9-34(A)).

Issuance of receipt without knowledge of placement in store by any warehouseman, or manager or other employee of a public warehouse (2 O.S. § 9-35).

Penalty for misrepresentation as to designation as a licensed public warehouse under act (2 O.S. § 9-36).

Removal of pine timber or products from state lands (2 O.S. § 1301-309).

Intentional cutting down of trees on another's property valued at more than \$200 without permission (2 O.S. § 1301-310(A)).

Fraudulent sale of timber (2 O.S. § 1301-310.3).

Use of false identification or false declaration of ownership of timber (2 O.S. § 1301-310.6(1)).

Operation of an aircraft not registered with the FAA or a foreign country (3 O.S. § 258(A), penalty contained in 3 O.S. § 258(E)).

Knowingly supplying false information in regard to ownership of an aircraft operated in this state (3 O.S. § 258(B), penalty contained in 3 O.S. § 258(E)).

Giving wrong information for the purpose of concealing or hiding the identity of aircraft (3 O.S. § 258(C), penalty contained in 3 O.S. § 258(E)).

Destroy, remove, cover, alter, or deface the registration number assigned by the FAA of any aircraft in this state (3 O.S. § 259(A)).

Removal of an identification plate or decal from an aircraft with the intent to conceal or misrepresent the identity of the aircraft (3 O.S. § 259(B)).

Sale, buy, possession, or disposition of an aircraft with knowledge that the I.D. number of the aircraft has been removed or falsified with the intent to misrepresent the I.D. of the aircraft (3 O.S. § 259(D)).

Conducting a race or race meeting without a license (3A O.S. § 208.4(A))

Knowingly entering for competition any horse under any name other than its true name (3A O.S. § 208.6(A), penalty contained in 3A O.S. § 208.6(C)).

Entering a horse for competition under a name which the horse has not been registered under (3A O.S. § 208.6(B), penalty contained in 3A O.S. § 208.6(C)).

Passing or cashing any altered or fraudulent pari-mutuel ticket (3A O.S. § 208.8(A)(2), penalty contained in 3A O.S. § 208.8(B)).

Unauthorized sale of any racetrack admission ticket (3A O.S. § 208.8(A)(3), penalty contained in 3A O.S. § 208.8(B)).

Unlawful compensation for wagering (3A O.S. § 208.9).

Falsifying, concealing, or covering up prior racing record, pedigree, identity, or ownership of a registered animal (3A O.S. § 208.10).

Owning or operating any amusement game that knowingly obtains money through deception (3A O.S. § 502(A); see also: 3A O.S. § 502(A)).

Knowingly or intentionally contract or provide space for any game violating the Amusement and Carnival Games Act (3A O.S. § 502(B); see also: 3A O.S. § 502(A)).

Unlawfully taking up or concealing an estray or failing to comply with provisions of Sections 85.1 through 85.12 of Title 4 (4 O.S. § 85.11, penalty contained in 21 O.S. § 1716).

Fraudulent branding, branding over, or obliterating a previous brand (4 O.S. § 268(A)).

Libel and slander for purpose of injuring any banking institution (6 O.S. § 1413, penalty contained in 6 O.S. § 1414(A)(2)).

Maintenance or operation of a bucket shop (15 O.S. § 565, penalty contained in 15 O.S. § 567).

Any violation of the Consumer Protection Act if the violation is a second offense or if the value of item is \$500 or more (15 O.S. §§ 752 - 761.1(E), penalty contained in 15 O.S. § 761.1(E)).

Violation of the Home Repair Fraud Act if second offense or the value of item is \$500 or more (15 O.S. §§ 765.1 - 765.3, penalty contained in 15 O.S. § 761.1(E)).

Any person who conceals, destroys or mutilates or attempts to conceal, destroy or mutilate any records, books, or files of any corporations transacting business for the purpose of defeating, hindering or delaying any investigation, prosecution or suit at law or equity (17 O. S. § 16).

Any knowing and willful violation of Control of Rural Electric Cooperatives Act, 17 O.S. § 158.50 et seq. (17 O.S. § 158.59(A); see: 17 O.S. § 158.50 et seq.).

Any person using name of or a name deceptively similar to any other person, charitable organization, professional fund raiser, professional solicitor or governmental agency or subdivision to solicit or accept contributions, money, or property under false pretense, representation or promise (18 O.S. § 552.11(B)).

Any person who solicits or attempts to solicit any contribution for a charitable organization or for a charitable purpose by means of a knowingly false or misleading statement or representation, advertisement or promise (18 O.S. § 552.18).

Any person, organization, group, association, partnership, corporation, or combination thereof, who conducts or carries on any drive for, or to solicit or invite, contributions of funds for the purpose of or under the guise or representation or promise of being able to secure old age or other assistance for any person, or of securing for such person or persons higher or additional assistance (18 O.S. § 553.1, penalty contained in 18 O.S. § 553.3; see also: 18 O.S. § 553.2).

Mutilation, defiling, treating with indignity or destroying U.S. flag (21 O.S. § 372, penalty contained in 21 O.S. § 373).

Displaying red flag or emblem of disloyalty or anarchy (21 O.S. § 374).

Bribery of athletic officials, participants, coaches, players, etc. (21 O.S. § 399; see also: 21 O.S. § 401).

Acceptance of bribe by athletic officials, participants, coaches, players, etc. (21 O.S. § 400).

Conspiracy to commit felony (21 O.S. § 421, see also: 21 O.S. § 423).

Inheritance - intercepting by fraudulent production of an infant (21 O.S. § 578).

Substituting a child (21 O.S. § 579).

Willful failure by state government entity to maintain financial and business records (21 O.S. § 590(B)).

Knowingly and willfully torturing, tormenting, beating, mutilating, injuring, disabling, or otherwise mistreating a police dog or horse while in the commission of a misdemeanor or felony (21 O.S. § 649.1(A), penalty contained in 21 O.S. § 649.1(D)).

Knowingly and willfully interfering with the lawful performance of any police dog or police horse while in the commission of a misdemeanor or felony (21 O.S. § 649.1(A), penalty contained in 21 O.S. § 649.1(D)).

Dueling resulting in no death or wounding (21 O.S. § 662).

Contributing to delinquency of a minor, felony if second or subsequent conviction (21 O.S. § 856(B)).

Gangs - Person eighteen (18) years or older knowingly and willfully cause, aid, abet, or encourage a minor to participate in committing an act that would be a felony if committed by an adult (21 O.S. § 856(C)).

Gangs - Knowingly or willfully causing, aiding or abetting, encouraging, soliciting or recruiting a minor to participate, join or associate with any criminal street gang or gang member for the purpose of committing any criminal act (21 O.S. § 856(D)).

Adultery (21 O.S. § 871, penalty contained in 21 O.S. § 872).

Bigamy (21 O.S. § 882, penalty contained in 21 O.S. § 883).

Person knowingly marrying a bigamist (21 O.S. § 884).

Opening, conducting or carrying on gambling game or dealing for those engaged in gambling (21 O.S. § 941).

Illegal use or aid in use of building for gambling that is public nuisance (21 O.S. § 946).

Officers gambling or encouraging gambling (21 O.S. § 948).

Officers receiving consideration for protecting or aiding gambling violators to avoid arrest or conviction (21 O.S. § 950).

Dealing, playing, or practicing confidence game/three-card monte (21 O.S. § 954).

Commercial gambling (21 O.S. § 982).

Dealing in gambling devices (21 O.S. § 984).

Installing communication facilities for gamblers (21 O.S. § 986(B)).

Dissemination of gambling information (21 O.S. § 987(A), penalty contained in 21 O.S. § 987(B)).

Conspiracy to violate commercial gambling act (21 O.S. § 988, if felony).

Betting or letting premises for betting on races (21 O.S. § 991(A)(2) through (A)(6), penalty contained in 21 O.S. § 991(B)).

Prizes and Gifts - unlawful practices (21 O.S. § 996.3, penalty contained in 15 O.S. § 761.1(E)).

Preparing or drawing lottery (21 O.S. § 1053).

Selling plan as lottery (21 O.S. § 1066, penalty contained in 21 O.S. § 1068).

Promoting pyramid promotional scheme (21 O.S. § 1073).

Pawnbroker refusing to exhibit stolen goods to owner of goods or peace officer (21 O.S. § 1092).

Unlawful removal of dead body, damage to casket or burial vault (21 O.S. § 1161).

Purchasing a dead body (21 O.S. § 1162).

Unlawful interference with places of burial (21 O.S. § 1163).

Buying, selling, or bartering for profit of human skeletal remains or associated burial furniture (21 O.S. § 1168.1, penalty contained in 21 O.S. § 1168.6(B)).

Knowingly disturbing human skeletal remains or burial furniture (21 O.S. § 1168.4(C) and (D), penalty contained in 21 O.S. § 1168.6(B)).

Obscene phone call (21 O.S. § 1172).

Operating radios receiving police frequencies for illegal purposes (21 O.S. § 1214).

Mailing threatening or intimidating letters (21 O.S. § 1304).

Delivering a fraudulent bill of lading (21 O.S. § 1411).

Duplicate receipts of vouchers issued (21 O.S. § 1414).

Selling goods without consent of holder of bill of lading (21 O.S. § 1415).

Unlawful delivery of goods, non-negotiable instrument (21 O.S. § 1416).

Burglary in the fourth degree (21 O.S. § 1435.2).

Prior burglary felon - possession of burglary tools (21 O.S. § 1442).

Extortion (21 O.S. §§ 1481-1483).

Attempted extortion (21 O.S. §§ 1481-1483).

Obtaining signature by extortion (21 O.S. § 1485).

Threatening letters (21 O.S. § 1486).

Blackmail (21 O.S. § 1488).

Defrauding hotels, inns, restaurants, etc. (21 O.S. § 1503).

Mock auction (21 O.S. § 1506).

Motor vehicle lease or rental payment by false or bogus check with intent to cheat and defraud (21 O.S. § 1521).

Marriage by impersonator, falsely impersonating bail or surety, or falsely executing a document for benefit (21 O.S. § 1531(1)(2)(3)).

False impersonating (21 O.S. § 1531(4)).

Receiving money or property intended for individual impersonated, impersonating another to gain property (21 O.S. § 1532, if felony).

Obtaining or attempting to obtain property by trick or deception or by false statements or pretense, fraud, confidence game, if value of money, property or valuable thing is \$500.00 or more (21 O.S. § 1541.1, penalty contained in 21 O.S. § 1541.2)†.

Making, drawing, uttering, or delivering 2 or more false or bogus checks, drafts, or orders in pursuance of a common scheme or plan to cheat or defraud, if value of money, property or valuable thing is \$500.00 or more (21 O.S. § 1541.3).

Obtaining property or signature under false pretenses (21 O.S. § 1542).

Obtaining signature for property for charitable purposes by false pretenses (21 O.S. § 1543).

False negotiable paper obtained or made (21 O.S. § 1544).

Taking credit or debit card receiving taken credit or debit card (21 O.S. § 1550.22, penalty contained in 21 O.S. § 1550.33(a)).

Receiving, holding, or concealing lost or mislaid card (21 O.S. § 1550.23, penalty contained in 21 O.S. § 1550.33(a)).

Selling or buying credit or debit card (21 O.S. § 1550.24, penalty contained in 21 O.S. § 1550.33(a)).

Controlling credit or debit ~~card~~ card as security for debt (21 O.S. § 1550.25, penalty contained in 21 O.S. § 1550.33(a)).

Receiving taken or retained card upon giving consideration (21 O.S. § 1550.26, penalty contained in 21 O.S. § 1550.33(a)).

False making or embossing of credit or debit card (21 O.S. § 1550.27, penalty contained in 21 O.S. § 1550.33(a)).

Signing of card or possession of signed or unsigned card with intent to defraud (21 O.S. § 1550.28(a), penalty contained in 21 O.S. § 1550.33(a)).

Possession of signed or unsigned card (21 O.S. § 1550.28(b), penalty contained in 21 O.S. § 1550.33(a)).

Using forged or revoked card with intent to defraud (21 O.S. § 1550.29, penalty contained in 21 O.S. § 1550.33(a)).

Failure to furnish money, goods or services represented to have been furnished (21 O.S. § 1550.30, penalty contained in 21 O.S. § 1550.33(a)).

Possessing incomplete cards with intent to complete (21 O.S. § 1550.31, penalty contained in 21 O.S. § 1550.33(b)).

Receiving of money, goods, or services in violation of § 1550.29, forged or revoked card (21 O.S. § 1550.32, penalty contained in 21 O.S. § 1550.33(a)).

Fraud - use or manufacture of altered identification card document, etc. (21 O.S. § 1550.41(C)).

Forgery in the first degree - forgery of wills, deeds and certain other documents (21 O.S. § 1561, punishment contained in 21 O.S. § 1621(1)).

Forgery in the first degree - forgery of public securities (21 O.S. § 1562, punishment contained in 21 O.S. § 1621(1)).

Forgery in the second degree - forgery of public and corporate seals (21 O.S. § 1571, punishment contained in 21 O.S. § 1621(2)).

Forgery in the second degree - forgery, altering, destroying or corrupting records (21 O.S. § 1572, punishment contained in 21 O.S. § 1621(2)).

Forgery in the second degree - making false entries in records (21 O.S. § 1573, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - making false certificate of acknowledgment of conveyance of real property (21 O.S. § 1574, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - sale, exchange or delivery of forged notes, checks, bills, drafts, etc. (21 O.S. § 1577, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - sale, exchange or delivery of forged notes, checks, bills, drafts etc. (21 O.S. § 1577, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - possession of forged evidences of debt, i.e. notes, drafts etc. (21 O.S. § 1578, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - possession of other forged instruments (21 O.S. § 1579, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - issuing spurious or false certificates of stock, forgery in the second degree (21 O.S. § 1580, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - reissuing canceled certificates of stock, forgery in the second degree (21 O.S. § 1581, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - issuing, pledging etc., false evidences of debt by officers etc., of corporation, forgery in the second degree (21 O.S. § 1582, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - counterfeiting coin, forgery in the Second Degree (21 O.S. § 1583, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - counterfeiting coin for exportation (21 O.S. § 1584, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - forged process of court or title to property, etc. (21 O.S. § 1585, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - making false entries in public book, forgery in the second degree (21 O.S. §§ 1586 and 1621(2)).

Forgery in the second degree - forging tickets of passage (21 O.S. § 1587, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - postage stamps, forging (21 O.S. § 1588, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - false entries in corporation books (21 O.S. § 1589, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - officer or employee of corporation making false entries in books (21 O.S. § 1590, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - possession of counterfeit coin (21 O.S. § 1591, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - uttering forged instruments or coin (21 O.S. § 1592, penalty contained in 21 O.S. § 1621(2)).

Forgery in the second degree - falsely obtaining signature (21 O.S. § 1593, penalty contained in 21 O.S. § 1621(2)).

Fraudulently uttering one's signature as that of another with same name (21 O.S. § 1622).

Fraudulently uttering one's endorsement as another's (21 O.S. § 1623).

Erasures and obliterations of instruments with intent to defraud (21 O.S. § 1624).

Signing fictitious names as officers of corporations (21 O.S. § 1626).

Fraud in procuring organization of stock company (21 O.S. § 1632).

Destroying or falsifying corporate books (21 O.S. § 1635).

False claim or proof of loss in insurance (21 O.S. § 1662).

Workers' compensation fraud (21 O.S. § 1663).

Damage, destroy or remove an animal facility, property, or animal without consent of owner (21 O.S. § 1680.2(A)(1), penalty contained in 21 O.S. § 1680.2(B)).

Acquire or control animal facility, animal or property of another with intent to deprive owner (21 O.S. § 1680.2(A)(2), penalty contained in 21 O.S. § 1680.2(B)).

Enter animal facility not open to public with intent to violate any provision of § 1680.1 (21 O.S. § 1680.2(A)(3), penalty contained in 21 O.S. § 1680.2(B)).

Enter animal facility with intent to violate any provision of § 1680.1 (21 O.S. § 1680.2(A)(4), penalty contained in 21 O.S. § 1680.2(B)).

Remain concealed in animal facility with intent to violate any provision of § 1680.1 (21 O.S. § 1680.2(A)(5), penalty contained in 21 O.S. § 1680.2(B)).

Enter or remain on animal facility when person has notice that entry is forbidden (21 O.S. § 1680.2(A)(6), penalty contained in 21 O.S. § 1680.2(B)).

Release of animals with intent to deprive owner of such animals or animal facility (21 O.S. § 1680.2(A)(7), penalty contained in 21 O.S. § 1680.2(B)).

Poisoning cattle, animals (21 O.S. § 1681).

Cruelty to animals (21 O.S. § 1685).

Instigating or encouraging dogfight (21 O.S. § 1694, penalty contained in 21 O.S. § 1699.1(A)).

Keeping place, equipment or facilities for dogfighting (21 O.S. § 1695, penalty contained in 21 O.S. § 1699.1(A)).

Servicing or facilitating dogfight (21 O.S. § 1696, penalty contained in 21 O.S. § 1699.1(A)).

Owning, possessing, keeping, or training dog for fighting (21 O.S. § 1697, penalty contained in 21 O.S. § 1699.1(A)).

Grand larceny of lost property (21 O.S. § 1702).

Grand larceny, if value of property is \$500.00 or more (21 O.S. § 1705).

Larceny of written instrument - degree and punishment determined by amount instrument is written for (21 O.S. § 1709, if felony).

Larceny of passage ticket - valued at price of ticket degree and punishment determined by amount ticket sold for (21 O.S. § 1710, if felony).

Larceny of securities not yet issued or delivered, degree and punishment determined by amount security is worth (21 O.S. § 1711).

Larceny of severed fixture, degree and punishment determined by amount fixture is worth (21 O.S. § 1712).

Buying, receiving, withholding or concealing stolen property (21 O.S. § 1713).

Bringing stolen property into state (21 O.S. § 1715).

Larceny of domestic animals (21 O.S. § 1716).

Larceny of dogs (21 O.S. §§ 1717 and 1718, if felony).

Larceny of domestic fowls - receiving stolen fowls (21 O.S. § 1719, if felony).

Larceny of certain fish and game (21 O.S. § 1719.1).

Larceny of exotic livestock (21 O.S. § 1719.2).

Tapping pipeline (21 O.S. § 1721).

Taking oil, gas, gasoline or any product thereof, when value is more than \$500.00 (21 O.S. § 1722(2)).

Taking oil, gas, gasoline or any product thereof, when value is less than \$50.00 but more than \$500.00 (21 O.S. § 1722(2)).

Possession of more than one pound of mercury without written evidence of title (21 O.S. § 1726).

Stealing or removing copper (21 O.S. § 1727).

Possessing, receiving, or transporting stolen copper (21 O.S. § 1728).

Larceny of merchandise from a retailer or wholesaler, if value of goods or property is \$500.00 or more (21 O.S. § 1731(5)).

Larceny of trade secrets (21 O.S. § 1732).

Injuries to railroads (21 O.S. § 1751).

Interference with railroad property resulting in property damage or destruction or monetary loss (21 O.S. § 1752.1(B)).

Injuries to highways (21 O.S. § 1753).

Injuries to toll house or gate (21 O.S. § 1755).

Malicious injury or destruction of property (21 O.S. § 1760(A)(2)).

Injuring house of worship or its contents (21 O.S. § 1765).

Removing or injuring piles securing any bank or dam (21 O.S. § 1777).

Injuring written instruments the false making of which would be forgery (21 O.S. § 1779).

Injuring work of literature or art in a public place (21 O.S. § 1785).

Injuries to pipes and wires (21 O.S. § 1786).

Concealing property subject to mortgage or conditional sale contracts (21 O.S. § 1834).

Disposing of property subject to mortgage or conditional sale contracts (21 O.S. § 1834).

Removal of property subject to mortgage or conditional sale contracts (21 O.S. § 1834).

Selling or removing motor vehicle while under security agreement (21 O.S. § 1834).

Selling property subject to mortgage or conditional sale contracts (21 O.S. § 1834).

Misappropriation of funds as embezzlement, embezzlement by trustee re: floor plan (21 O.S. § 1834.2).

Placing hard or solid substances in grain or inflammable or explosive substances in cotton (21 O.S. § 1837).

Failure of telephone solicitor to give name of organization or failure of charitable nonprofit organization to comply with the

Oklahoma Solicitation of Charitable Contributions Act (21 O.S. § 1861).

Unauthorized removal of baggage, cargo, etc., from bus or terminal (21 O.S. § 1904).

Unauthorized gain or attempt to gain access to and damage etc., a computer, computer system or computer network (21 O.S. § 1953(A) (1), penalty contained in 21 O.S. § 1955(A)).

Use of computer, computer system, or computer network in order to defraud or extort money, property or services by false pretense (21 O.S. § 1953(A) (2), penalty contained in 21 O.S. § 1955(A)).

Exceed limits of authorization and damage, alter, destroy, etc., a computer, computer system or computer network (21 O.S. § 1953(A) (3), penalty contained in 21 O.S. § 1955(A)).

Unauthorized disruption of computer services or denying or causing denial of computer services to authorized user (21 O.S. § 1953(A) (6), penalty contained in 21 O.S. § 1955(A)).

Provide or assist in providing access to a computer, computer system or computer network in violation of § 1953 (21 O.S. § 1953(A) (7), penalty contained in 21 O.S. § 1955(A)).

Access to computers or storing data for the purpose of violating provisions of the Oklahoma Statutes (21 O.S. § 1958).

Unlawful reproduction of sound recording or audiovisual work for sale (21 O.S. § 1976(A), penalty contained in 21 O.S. § 1976(C)).

Unlawful reproduction of sound recording or audiovisual work for sale (21 O.S. § 1976(A), penalty contained in 21 O.S. § 1976(D)).

Unlawful sale or offer for sale of sound recordings (21 O.S. § 1977(A), penalty contained in 21 O.S. § 1977(C)).

Unlawful sale or offer for sale of sound recordings (21 O.S. § 1977(A), penalty contained in 21 O.S. § 1977(D)).

Unlawful transfer of article or sound recording or performance for unauthorized sale (21 O.S. § 1978(A), penalty contained in 21 O.S. § 1977(D)).

Unlawful transfer of article or sound recording or performance for authorized sale (21 O.S. § 1978(A), penalty contained in 21 O.S. § 1978(D)).

Advertisement, rental, sale, resale, distribution or circulation of article without actual true name of manufacturer (21 O.S. § 1979(A), penalty contained in 21 O.S. § 1979(C)).

Advertisement, rental, sale, resale, distribution or circulation of article without actual true name of manufacturer (21 O.S. § 1979(A), penalty contained in 21 O.S. § 1979(D)).

Counterfeit labels (21 O.S. § 1980(A), penalty contained in 21 O.S. § 1980(C)).

Counterfeit labels (21 O.S. § 1980(A), penalty contained in 21 O.S. § 1980(D)).

Person who contracts for sale of rights arising from a criminal act without providing for forfeiture of proceeds (22 O.S. § 17).

Person employed by or associated with any enterprise that participates in pattern of racketeering activity or collection of unlawful debt; investment of funds (22 O.S. § 1403(A), penalty contained in 22 O.S. § 1404).

No person shall maintain an interest in or control of any enterprise or real property through a pattern of racketeering activity or collection of unlawful debt (22 O.S. § 1403(B), penalty contained in 22 O.S. § 1404).

Conspiracy to violate any of the provisions of 22 O.S. § 1403(A), (B), or (C) (22 O.S. § 1403(C), penalty contained in 22 O.S. § 1404).

Conspiracy to violate any of the provisions of 22 O.S. § 1403(A), (B), or (C) (22 O.S. § 1403(D), penalty contained in 22 O.S. § 1404).

Fraudulent or false statement filed with Insurance Commissioner by the insurer (36 O.S. § 311.1(A)).

Employee, officer, etc. of insurer who knowingly files or causes to be filed a fraudulent statement (36 O.S. § 311.1(A)).

Withholding or giving false or misleading information to Insurance Board, etc. (36 O.S. § 935).

Any person who acts as insurance agent when his/her license has been suspended, revoked or surrendered (36 O.S. § 1425(K)(5)(b)).

Any individual who willfully violates Article 16A of the Insurance Code (36 O.S. § 1658.2(d)).

Any insurer who willfully violates Article 16A of the Insurance Code (36 O.S. § 1658.2(d)).

Any officer, director, or employee of an insurance holding company system who willfully and knowingly makes or causes to be made any false statements or reports ~~OR~~ or false filings with intent to deceive the Insurance Commissioner (36 O.S. § 1658.2(e)).

Any person who files a false or fraudulent return in connection with any tax imposed by the Alcoholic Beverage Control Act or willfully evades or attempts to evade any tax herein imposed (37 O.S. § 538(B)).

Knowingly engaging in any activity or performing any transaction or act for which a license is required under the ABC Act (37 O.S. § 538(C); see also: 37 O.S. § 537).

Knowingly sell, furnish or give alcoholic beverage to person under 21 (37 O.S. § 538(F)).

Knowingly sell, furnish or give alcoholic beverage to insane, mentally deficient or intoxicated person (37 O.S. § 538(G)).

Imitation or counterfeit ABC stamp or possession of any mold, dies, engraving, or other articles, things or machines used or capable of being used to counterfeit stamps (37 O.S. § 587).

Removal of crops to defraud landlord (41 O.S. § 25, penalty contained in 21 O.S. § 1462).

Original contractor falsifying statement regarding liens on labor or material to any owner of a dwelling (42 O.S. § 142.4, penalty contained in 21 O.S. § 9).

Any person knowingly and willfully appropriating such trust funds to a use not permitted by 42 O.S. § 144.2(A) (42 O.S. § 144.2(C), penalty contained in 42 O.S. § 153; see also: 42 O.S. § 144.2(A)).

Willfully and knowingly appropriating funds from trust set up for payment of lienable claims for use other than payment of lienable claims (42 O.S. § 153(2); see also: 42 O.S. § 144.2(A)).

Any officer or employee of Department of Mental Health and Substance Abuse Services contracting with the Department or any of its institutions (43A O.S. § 2-217).

Interest in contracts by officers or employees of the district (45 O.S. § 807).

Unauthorized use of a vehicle or implement of husbandry (47 O.S. § 4-102).

Receiving, possessing, concealing, selling, or disposing of a stolen or converted vehicle (47 O.S. § 4-103).

Destroying, removing, covering, altering, or defacing a distinguishing number of any vehicle of this state (47 O.S. § 4-107(a)).

Buying, receiving, possessing, selling, or disposing of a vehicle or engine knowing that the ID number has been removed or falsified with the intent to conceal identity (47 O.S. § 4-107(c)).

Knowingly making a false statement of material fact in a certificate of title or any assignment thereof or possessing a vehicle known to be stolen (47 O.S. § 4-108).

Altering or forging a certificate of title (47 O.S. § 4-109).

Violating any of the provisions of subsection (B) of § 4-110 (47 O.S. § 4-110(B)).

Removing or altering a manufactured home registration receipt (47 O.S. § 1151(B)(3)).

Unlawfully lending or selling the certificates of title to a manufactured home (47 O.S. § 1151(B)(1)).

Altering or changing a certificate of title issued for a manufactured home (47 O.S. § 1151(B)(2)).

Conspiring to violate the provisions of the Oklahoma Oil and Gas Conservation Act (52 O.S. § 84 et seq.) (52 O.S. § 115).

Misappropriation of gas by any person or agent of a corporation, directly or indirectly (52 O.S. § 235).

Knowingly withholding an allowance or aiding a fraudulent claim in an application for emergency relief or general assistance (56 O.S. § 26.18).

Obtaining assistance and/or funds through fraud (56 O.S. § 185).

Obtaining or attempting to obtain food stamps or coupons through fraud (56 O.S. § 243(A)).

Trafficking in food stamps (56 O.S. § 243(B)).

Making a false claim by commission or omission (56 O.S. § 1005(A)(1), penalty contained in 56 O.S. § 1006).

Making a false statement for use in obtaining a good or service (56 O.S. § 1005(A)(2), penalty contained in 56 O.S. § 1006).

Making a false statement for use in obtaining a good or service under the Medicaid Program (56 O.S. § 1005(A)(3), penalty contained in 56 O.S. § 1006).

Making a false statement for use in qualifying to be a Medicaid provider (56 O.S. § 1005(A)(4), penalty contained in 56 O.S. § 1006).

Charging any recipient rates in excess of those established under the Medicaid Program (56 O.S. § 1005(A)(5), penalty contained in 56 O.S. § 1006).

Soliciting or accepting any benefit in connection with goods or services payable by the Medicaid Program (56 O.S. § 1005(A)(6), penalty contained in 56 O.S. § 1006).

Failure to maintain or destroying records under the Medicaid Program (56 O.S. § 1005(A)(7), penalty contained in 56 O.S. § 1006; see also: 21 O.S. § 9).

Use of prisoners assigned to public works project on any property other than public property, except private property for public use (57 O.S. § 222, penalty contained in 21 O.S. § 9).

Selling or pledging property to a pawnbroker using false or altered I.D. or a false declaration of ownership (59 O.S. § 1512(C)(2)).

Operating as a dealer of precious metal or gems or employee of dealer without first obtaining a license from the Administrator of the Department of Consumer Credit specifically authorizing the person to act in such capacity (59 O.S. § 1523).

Willful violation of any provision of the Precious Metal or Gem Dealer Licensing Act (59 O.S. § 1529).

Conflict of interest in awarding or supervising the execution of a public construction contract by chief administrative officer and members of the governing body of the awarding public agency (61 O.S. § 114, penalty contained in 21 O.S. § 9).

Collusion among bidders (61 O.S. § 115).

Disclosure of terms of bids, or any solicitation, receipt, or possession of information which is to be contained in a bid notice of a public agency for use in preparation of a bid in advance of public knowledge (61 O.S. § 116).

Any person who with intent to defraud uses on a public security a facsimile signature, or any reproduction of it, of any authorized officer (62 O.S. § 604(a), penalty contained in 21 O.S. § 9).

Taking, using, operating, or having within one's possession a vessel without the owner's consent and with the intent to deprive (63 O.S. § 4209).

Knowingly receiving, possessing, selling, or disposing of stolen or converted vessel or motor (63 O.S. § 4209.1).

Removing or falsifying identification number of vessel or motor (63 O.S. § 4209.2(B)).

Buying, receiving, possessing, or disposing of a vessel or motor knowing that the I.D. number has been falsified or removed with the intent to conceal or misrepresent (63 O.S. § 4209.2(D)).

Making false statement in appreciation for certificate of title or assignment thereof for a stolen vessel or motor (63 O.S. § 4209.3).

Altering or forging a certificate of title or assignment thereof (63 O.S. § 4209.4).

Operation of a vessel by a person age 16 or older in reckless disregard of the safety of others where death of a person ensues within one year as a proximate result of injury received (63 O.S. § 4210.1).

Any person who shall execute or make any sworn statement or affidavit containing false information in connection with any loan to be made from funds held by the Commissioners of the Land Office (64 O.S. § 64).

Destroying or injuring timber or improvements without written authority (64 O.S. § 88).

Any person violating provisions setting forth requirements for cash journal, checks and drafts, etc. (64 O.S. § 123).

Failure to comply with the provisions of 64 O.S. § 121 (64 O.S. § 132).

Violating any terms or provisions of the Mineral Leases and Prospecting Permits Act (64 O.S. § 459).

Knowingly giving a false or bogus check of \$50 or more or multiple false checks whose sum is \$50 or more in payment of taxes (68 O.S. § 218.1(A)).

Giving two or more false or bogus checks with total sum of \$50 or greater, in remittance of any taxes, fees, penalties or interest levied pursuant to any state tax law (68 O.S. § 218.1(B)).

Failure or refusal to file any tax report or return with the intent to defraud or evade the payment of taxes (68 O.S. § 240.1(A)).

Making a false or fraudulent report or return with the intent to defeat or evade the payment of the taxes (68 O.S. § 241).

Knowingly verify any false report or false return or other matter which is false (68 O.S. § 246).

Unlawful sale, use, or manufacture of stamps, impressions, etc. (68 O.S. § 317(a)).

Contraband cigarettes, second or subsequent violation (68 O.S. § 349(D)).

Second or subsequent violation of shipping, transporting, receiving, possessing, selling, distributing, or purchasing contraband tobacco products (68 O.S. § 426(C)).

Any dealer manufacturing, distributing, producing, shipping, transporting, importing, or possessing any controlled dangerous substance without affixing the appropriate stamp (68 O.S. § 450.8(B)).

Willful removal, etc. of stamp after it has already been used or knowingly or willfully buying or selling washed, restored, or altered stamp (68 O.S. § 450.9(A), penalty contained in 68 O.S. § 450.9(C)).

Reuse of tax stamp (68 O.S. § 450.9(B), penalty contained in 68 O.S. § 450.9(C)).

Any vendor who willfully or intentionally fails to remit the tax after the tax levied by Article 4A of the Oklahoma Tax Code was

collected from the consumer and appropriates the tax to his own use is guilty of embezzlement (68 O.S. § 1361(e), penalty contained in 21 O.S. § 1454).

Violation of any provision of the Oklahoma Highway Code declared to constitute a felony (69 O.S. § 1802).

Any person found guilty of violating any of the provisions of the section relating to the Oklahoma Educational Television Authority (70 O.S. § 23-106).

Any person who alters or destroys records needed for the performance of an audit or causes or directs a subordinate to do such acts (70 O.S. § 3909(e)).

Willful violation of provisions of § 4306(a) relating to gifts, devises and bequests - College or university-related foundation funds (70 O.S. § 4306(a), penalty contained in 70 O.S. § 4306(b)).

Engaging in an act, practice, or course of business which operates or would operate as a fraud or deceit by someone receiving consideration from another for advising as to the value of securities (71 O.S. § 102(a)(2), penalty contained in 71 O.S. § 407(a)).

Entering into, extending, or renewing any investment advisory contract that does not provide in writing that: 1) the investment advisor shall not be compensated on the basis of capital gains or capital appreciation of the funds of the client, 2) no assignment of the contract may be made by the adviser without the consent of the other party, and 3) that the investment advisor, if a partnership, shall notify the other party to the contract of any change in membership of the partnership within a reasonable time (71 O.S. § 102(b), penalty contained in 71 O.S. § 407(a)).

Unlawful possession by an investment advisor of any funds or securities of a client if the administrator prohibits custody or the investment advisor fails to notify the administrator that he has custody (71 O.S. § 102(c), penalty contained in 71 O.S. § 407(a)).

Unlawfully transacting business in this state as a broker-dealer or agent unless so registered (71 O.S. § 102(a), penalty contained in 71 O.S. § 407(a)).

Unlawfully employing an agent that is not so registered (71 O.S. § 201(b), penalty contained in 71 O.S. § 407(a)).

Transacting business in this state as an investment advisor or an investment advisor representative unless so registered (71 O.S. § 201(c), penalty contained in 71 O.S. § 407(a)).

Unlawful to sell security unless registered (71 O.S. § 301, penalty contained in 71 O.S. § 407(a)).

Investment certificate issuer to issue investment certificate while insolvent (71 O.S. § 307(k)(1), penalty contained in 71 O.S. § 407(a)).

Unlawful use of any prospectus, pamphlet, circular, form letter, advertisement, or other sales literature in connection with the offer or sale of any security unless it has been filed with and approved by the Administrator (71 O.S. § 402, penalty contained in 71 O.S. § 407(a)).

Making or causing to be made in any document filed with the Administrator any statement which is false or misleading (71 O.S. § 403, penalty contained in 71 O.S. § 407(a)).

Willfully making any representation inconsistent with Section 404(a) to any prospective purchaser, customer, or client (71 O.S. § 404(B), penalty contained in 71 O.S. § 407(a)).

Making a takeover offer or acquiring any equity securities pursuant to the offer unless the offer is effective under the provisions of the Oklahoma Take-over Disclosure Act of 1985 (71 O.S. § 453(A), penalty contained in 71 O.S. § 460).

Unlawful for any offeror or target company or any controlling person of an offeror or target company to engage in any fraudulent, deceptive, or manipulative acts in connection with a takeover offer (71 O.S. § 455, penalty contained in 71 O.S. § 460).

Offering or disposing of any interest in subdivided land located in this state or to offer or dispose in this state of any subdivided land located without this state unless it is registered under the Oklahoma Subdivided Land Sales Code or is exempt (71 O.S. § 621(A), penalty contained in 71 O.S. § 658(A)).

Unlawful for any subdivider or registrant of subdivided lands to offer or dispose of any of the registered subdivided land if the subdivider or registrant is in violation of the Oklahoma Subdivided Land Sales Code (71 O.S. § 621(B), penalty contained in 71 O.S. § 658(A)).

Disposing of an interest in subdivided lands unless a current public offering statement is delivered to the purchaser at the expense of the subdivider or his agent at least 48 hours prior to any sale unless the purchaser is afforded reasonable opportunity to examine and is permitted to retain the public offering statement (71 O.S. § 626(A), penalty contained in 71 O.S. § 658(A)).

Transacting business in this state as an agent without obtaining a real estate broker's or sales associate's license from the state of residence (71 O.S. § 631(A), penalty contained in 71 O.S. § 658(A)).

Unlawful for any subdivider or agent in connection with the offer or disposition to employ any device, scheme, or artifice to defraud (71 O.S. § 641(1), penalty contained in 71 O.S. § 658(A)).

Unlawful for any subdivider or agent in connection with the offer or disposition in this state of any subdivided land to make any untrue statement of a material fact or omit to state a fact necessary to make the statement not misleading (71 O.S. § 641(2), penalty contained in 71 O.S. § 658(A)).

Unlawful for any subdivider or agent in connection with the offer or disposition in this state of any subdivided land to engage in any act, practice, or course of business which operates as a

fraud or deceit (71 O.S. § 641(3), penalty contained in 71 O.S. § 658(A)).

Unlawful for any person in connection with the offer or disposition of subdivided land to publish, circulate, or use advertising concerning the subdivided land which contains any untrue statement, omission, or pictorial representation that is misleading (71 O.S. § 653(A)(1), penalty contained in 71 O.S. § 658(A)).

Unlawful for any person in connection with the offer or disposition of subdivided land to publish, circulate, or use advertising concerning the subdivided land which contains any statement which differs materially from the information contained in a registration application or public offering statement (71 O.S. § 653(A)(2), penalty contained in 71 O.S. § 658(A)).

Filing of any false or misleading document under the Oklahoma Subdivided Land Sales Code or making a false or misleading statement in any proceeding under the Code (71 O.S. § 654, penalty contained in 71 O.S. § 658(A)).

Offering or selling any business opportunity unless the business opportunity is registered under the provisions of the Oklahoma Business Opportunity Sales Act (71 O.S. § 806, penalty contained in 71 O.S. § 823(A)).

Unlawfully selling or offering any business opportunity required to be registered unless a written disclosure document is delivered to each purchaser at least 10 business days prior to the execution of any contract or agreement (71 O.S. § 808(A), penalty contained in 71 O.S. § 823(A)).

Offering or selling a business opportunity unless the business opportunity contract or agreement is in writing and a copy of the contract is given to the purchaser at the time of signing (71 O.S. § 809(A), penalty contained in 71 O.S. § 823(A)).

Unlawful use or disclosure of information filed with or obtained by the Administrator of the Oklahoma Business Opportunity Sales Act (71 O.S. § 812(B), penalty contained in 71 O.S. § 823(A)).

Unlawful for any person in connection with the offer or sale of any business opportunity directly or indirectly to employ any device, scheme, or artifice to defraud (71 O.S. § 819(1), penalty contained in 71 O.S. § 823(A)).

Unlawful for any person in connection with the offer or sale of any business opportunity directly or indirectly to make any untrue statement of a material fact or to omit to state a material fact necessary to make the statements not misleading (71 O.S. § 819(2), penalty contained in 71 O.S. § 823(A)).

Unlawful for any person in connection with the offer or sale of any business opportunity directly or indirectly to engage in any act, practice, or course of business which operates as a fraud or deceit (71 O.S. § 819(3), penalty contained in 71 O.S. § 823(A)).

Making or filing any false or misleading statements with the Administrator or in any proceeding pursuant to the Oklahoma Business Opportunity Sales Act (71 O.S. § 820, penalty contained in 71 O.S. § 823(A)).

Publishing, circulating, or using any advertising which contains an untrue statement of a material fact or omits to make material statements (71 O.S. § 822, penalty contained in 71 O.S. § 823(A)).

Any person who controls or materially aids a person liable under Sections 822 and 823 is jointly and severally liable to the same extent as the person committing the violation (71 O.S. § 825, penalty contained in 71 O.S. § 823(A)).

Transaction of business with the Oklahoma Capitol Improvement Authority for profit by members or employees (73 O.S. § 162(a), penalty contained in 73 O.S. § 162(c)).

Assigning any contract awarded pursuant to the Oklahoma Minority Business Enterprise Assistance Act to any other business enterprise

without approval (74 O.S. § 85.45h(A) (5), penalty contained in 74 O.S. § 85.45h(B)).

Making or causing to be made any false statement or report in any application or in any document furnished to the Small Business Surety Bond Guaranty Program Administrator (74 O.S. § 85.47h(A), penalty contained in 74 O.S. § 85.47h(B)).

Making or causing to be made any false statement or report for the purpose of influencing the action of the Small Business Surety Bond Guaranty Program Administrator (74 O.S. § 85.47h(B), penalty contained in 74 O.S. § 85.47h(C)).

Conspiracy in restraint of trade (79 O.S. § 3, penalty contained in 79 O.S. § 27).

Unlawfully pooling bridge or highway contracts by a bridge or other contractor (79 O.S. § 101, penalty contained in 79 O.S. § 103).

#### 10. SCHEDULE H

Removal of permanent mark, tag or brand from diseased animals (2 O.S. § 6-94(D)).

Removal of livestock valued at over \$1,000 from a quarantined area (2 O.S. § 6-125).

Unlawful shipment or transport of livestock without health certificate or permit (2 O.S. § 6-151(a), penalty contained in 2 O.S. § 6-155).

Unlawful shipment or transport of livestock originating from quarantined area (2 O.S. § 6-151(b), penalty contained in 2 O.S. § 6-155).

Sale or transport of adulterated or misbranded articles capable for human consumption (2 O.S. § 6-190(c), penalty contained in 2 O.S. § 6-207(a)).

Intend or cause articles intended for human consumption to become altered or misbranded (2 O.S. § 6-190(d), penalty contained in 2 O.S. § 6-207(a)).

Sale or transport of carcasses not intended for human consumption unless identified as required by regulations (2 O.S. § 6-197, penalty contained in 2 O.S. § 6-207(a)).

Sale or transport of dead, dying, or disabled animals unless proscribed by Board (2 O.S. § 6-200, penalty contained in 2 O.S. § 6-207(a)).

Slaughtering poultry or processing any poultry products capable of use as human food in noncompliance with the requirements of the Oklahoma Poultry Products Inspection Act (2 O.S. § 6-259(A)(1), penalty contained in 2 O.S. § 6-262).

Any act intended to cause poultry products to be adulterated or misbranded (2 O.S. § 6-259(A)(3), penalty contained in 2 O.S. § 6-262).

Sell, transport, offer for sale, or receive for transportation, any slaughtered poultry from which blood, feathers, feet, head, or viscera have not been removed in accordance with promulgated regulations (2 O.S. § 6-259(A)(4), penalty contained in 2 O.S. § 6-262).

Use to his own advantage, or reveal information acquired under the Oklahoma Poultry Products Inspection Act any information which is entitled to protection as a trade secret (2 O.S. § 6-259(A)(5), penalty contained in 2 O.S. § 6-262).

Deposit of encumbered commodities without notice to warehouse (2 O.S. § 9-37).

Knowingly operate a livestock auction market without a bond in place (2 O.S. § 9-132(D)(3)).

Production of alcohol for use as motor fuel without permit (2 O.S. § 1902, penalty contained in 2 O.S. § 1907)

Installation of nonconforming fuel tank, bladder, drum, or other container (3 O.S. § 281(A)).

Knowingly possess aircraft with nonconforming fuel tank, bladder, drum or other container (3 O.S. § 281(B)).

Use of any device other than an ordinary whip to affect a horse's speed (3A O.S. § 208.7(A)(1), penalty contained in 3A O.S. § 208.7(C)).

Sponging the nostrils or windpipe of a horse for the purpose of affecting its speed (3A O.S. § 208.7(A)(2), penalty contained in 3A O.S. § 208.7(C)).

Possession of a device other than an ordinary whip used for the purpose of affecting a horse's speed (3A O.S. § 208.7(A)(3), penalty contained in 3A O.S. § 208.7(C)).

Possession of any such devices with the intent to sell, give away, or exchange (3A O.S. § 208.7(A)(4), penalty contained in 3A O.S. § 208.7(C)).

Administration of any drug to a horse prior or during competition which is not permitted by rule of Commission (3A O.S. § 208.11(B)).

Knowingly entering a horse into a competition to which any unauthorized drug has been admitted or violating any provision of this section relating to the administration of drugs or medications to horse prior to or during a race (3A O.S. § 208.11(C)).

Use or advertisement of word "Trust" or "Trust Company" in unauthorized manner (6 O.S. § 1402, penalty contained in 6 O.S. § 1414(A)(2)).

Use of words "Safe deposit" or "Safety deposit" in unauthorized manner (6 O.S. § 1403, penalty contained in 6 O.S. § 1414(A)(2)).

Bank advertising with confusingly similar name (6 O.S. § 1417(B), penalty contained in 6 O.S. § 1414(A)(2)).

Bank having full legal name, not a confusingly similar name, using a shortened name for purposes of advertising within Oklahoma if that shortened name is confusingly similar (6 O.S. § 1417(C), penalty contained in 6 O.S. § 1414(A)(2)).

Unlawful for bank which acquires another bank or financial institution to continue to use the former name of the acquired

institution for more than 6 months after the date of acquisition (6 O.S. § 1417(D), penalty contained in 6 O.S. § 1414(A)(2)).

Unlawful for any person which is not a bank to use or advertise a confusingly similar name within the State of Oklahoma (6 O.S. § 1417(E), penalty contained in 6 O.S. § 1414(A)(2)).

Unauthorized release of data and information by an employee of the central registry (10 O.S. § 7111(G)).

Any person who willfully intercepts, endeavors to intercept or procures any other person to intercept or endeavor to intercept any wire, oral or electronic communication (13 O.S. § 176.3(1)).

Any person who willfully uses, endeavors to use or procures any other person to use or endeavor to use any electronic, mechanical or other device to intercept any oral communication (13 O.S. § 176.3(2)).

Any person who willfully discloses, or endeavors to disclose to any other person the contents of any wire, oral or electronic communication, knowing or having reason to know that the information was obtained in violation of the Security of Communications Act (13 O.S. § 176.3(3)).

Any person who willfully uses or endeavors to use the contents of any wire, oral or electronic communication, knowing or having reason to know that the information was obtained in violation of the Security of Communications Act (13 O.S. § 176.3(4)).

Any person who willfully and maliciously, without legal authority, removes, injures or obstructs any telephone or telegraph line, or any part or appurtenances or apparatus connected thereto, or severs any wires thereof (13 O.S. § 176.3(5)).

Any person who sends through the mail or carries any electronic, mechanical, or other device with the intention of rendering the device primarily useful for the purpose of illegal interception of wire, oral or electronic communications in violation of the Security of Communications Act (13 O.S. § 176.3(6)).

Any person who manufactures, assembles, possesses or sells any electronic, mechanical, or other device with the intention of rendering the device primarily useful for the purpose of the illegal interception of any wire, oral or electronic communication in violation of the Security of Communications Act (13 O.S. § 176.3(7)).

Any person who willfully uses any communication facility in committing or causing or facilitating the commission of any act or acts constituting one or more of the felonies enumerated in 13 O.S. § 176.7 (13 O.S. § 176.3(8); see also: 13 O.S. § 176.7).

Any person who willfully and knowingly violates any rule, regulation, restriction, condition, or order made or imposed by the Corporation Commission (17 O.S. § 158.59(B); see also: 17 O.S. § 158.50 et seq.).

Willful and knowing violation or omission of duty required by Securities of Public Utilities Act (17 O.S. § 191.11; see also: 17 O.S. § 191.1 et seq.).

Escape or attempt to escape from arrest or detention (21 O.S. § 444(C)).

Embezzlement by trustee or collector (21 O.S. § 1454, penalty contained in 21 O.S. § 1462).

Embezzlement by bailee (21 O.S. § 1455, penalty contained in 21 O.S. § 1462).

Embezzlement by clerk or servant (21 O.S. § 1456, penalty contained in 21 O.S. § 1462).

Embezzlement, failure to return certain rented or leased property (21 O.S. § 1464, penalty contained in 21 O.S. § 1462).

Obtaining or attempting to obtain property by trick or deception or by false statements or pretense, fraud, confidence game, if value of money, property or valuable thing is \$50.00 or more but less than \$500.00 (21 O.S. § 1541.1, penalty contained in 21 O.S. § 1541.2).

Making, drawing, uttering, or delivering 2 or more false or bogus checks, drafts, or orders in pursuance of a common scheme or plan to cheat or defraud, if value of money, property or valuable thing is \$50.00 or more but less than \$500.00 (21 O.S. § 1541.3).

Grand larceny, if value of property is \$50.00 or more but less than \$500.00 (21 O.S. § 1705).

Larceny of merchandise from a retailer or wholesaler if value of goods or services is not more than \$50.00, but defendant has at least two prior convictions (21 O.S. § 1731(3)).

Larceny of merchandise from a retailer or wholesaler if value of goods or property is \$50.00 or more but less than \$500.00 (21 O.S. § 1731(4)).

Any person who operates a whiskey still with intent to produce alcoholic beverages or any person who shall carry on the business of a distiller without having a distiller's license (37 O.S. § 538(A)).

Knowingly sell, furnish or give alcoholic beverage to an insane, mentally deficient or intoxicated person (37 O.S. § 538(G)).

Repairing or cleaning a railroad steam boiler, firebox or smoke chamber when same is under steam pressure (40 O.S. § 181, penalty contained in 40 O.S. § 182).

Penalty for performing an unlawful marriage (43 O.S. § 14).

Remarriage and/or cohabitation within 6 months from the date of divorce decree within this state any person other than former spouse (43 O.S. § 123, penalty contained in 43 O.S. § 124; see also: 21 O.S. §§ 872, 883).

Fraudulent conduct regarding an advanced directive (43A O.S. § 11-113(D), penalty contained in 21 O.S. § 9).

Unlawful making of Oklahoma license or ID card (47 O.S. § 6-301(2)(a), penalty contained in 47 O.S. § 6-301(4)).

Displaying or knowingly possessing any state counterfeit license (47 O.S. § 6-301(2)(b), penalty contained in 47 O.S. § 6-301(4)).

Displaying a license bearing a fictitious or forged name or signature (47 O.S. § 6-301(2)(c), penalty contained in 47 O.S. § 6-301(4)).

Displaying a license with an incorrect photograph (47 O.S. § 6-301(2)(d), penalty contained in 47 O.S. § 6-301(4)).

Displaying a license or ID not issued to person, for the purpose of committing a fraud (47 O.S. § 6-301(2)(e), penalty contained in 47 O.S. § 6-301(4)).

Using a false or fictitious name in any application for a license (47 O.S. § 6-301(2)(f), penalty contained in 47 O.S. § 6-301(4)).

Unlawful issuance of license by employee or authorized person (47 O.S. § 6-301(3), penalty contained in 47 O.S. § 6-301(4)).

Buying, selling, or disposing of any manufactured home with unpaid registration fees or excise taxes (47 O.S. § 1151(B)(4)).

Purchasing identification, registration receipt, decal, or excise tax receipt on an assigned certificate of title (47 O.S. § 1151(B)(5)).

Knowingly injuring or destroying any Hazardous Liquid Transportation System (52 O.S. § 47.6(D)).

Publication or use for commercial or political purposes by any person, firm or corporation any list or names obtained through access to records of recipients of public assistance (56 O.S. § 183(C)).

Incurring forfeiture or failing to comply with personal recognizance (59 O.S. § 1335).

Defacing, damaging, destroying, or removing any traffic control device, road, sign, signboard, guide sign, or signpost (69 O.S. § 1213(b)).

Cremating the body of a dead person without a license and permit (63 O.S. § 1-333, penalty contained in 21 O.S. § 9).

Unlawful for any infected person to marry or expose to another through sexual intercourse or venereal disease (63 O.S. § 1-519, penalty contained in 21 O.S. § 9).

Falsifying or forging the advance directive of another (63 O.S. § 3101.11(D)).

Requiring or prohibiting the execution of an advance directive as a condition for being insured (63 O.S. § 3101.11(E)).

Coercing or fraudulently inducing another to execute an advance directive or revocation (63 O.S. § 3101.11(F)).

11. SCHEDULE I-1

Causing an accident resulting in great bodily injury to any person while operating a motor vehicle in violation of subsection (A) of Section 11-902 of Title 47 (47 O.S. § 11-904(B)).

12. SCHEDULE I-2

Second and subsequent violation of the provisions of subsection (A) of Section 11-904 of Title 47 (47 O.S. § 11-904(A)).

13. SCHEDULE I-3

Operation of an aircraft with breath alcohol concentration 0.04 or more within 2 hours of arrest (3 O.S. § 301(A)(1), penalty contained in 3 O.S. § 301(D)).

Operation of an aircraft under the influence of any intoxicant (3 O.S. § 301(A)(2), penalty contained in 3 O.S. § 301(D)).

Driving, operating, or in actual physical control of a motor vehicle with a breath alcohol content of ten-hundredths or more (47 O.S. § 11-902(A)(1), penalty contained in 47 O.S. § 11-902(C)).

Driving, operating, or in actual physical control of a motor vehicle while under the influence of alcohol (47 O.S. § 11-902(A)(2), penalty contained in 47 O.S. § 11-902(C)).

Driving, operating, or in actual physical control of a motor vehicle while under the influence of any intoxicating substance other than alcohol which may render such person incapable of safely driving or operating a motor vehicle (47 O.S. § 11-902(A)(3),

penalty contained in 47 O.S. § 11-902(C); see also: 63 O.S. § 2-101 et seq.).

Driving, operating, or in actual physical control of a motor vehicle while under the combined influence of alcohol and any other intoxicating substance which may render such person incapable of safely driving or operating a motor vehicle (47 O.S. § 11-902(A)(4), penalty contained in 47 O.S. § 11-902(C)).

14. SCHEDULE N-1

Manufacturing CDS, attempting to manufacture CDS (63 O.S. § 2-401(F)).

15. SCHEDULE N-2 - Group A - Amount 1

Trafficking cocaine (powder), 28 grams to 299 grams (63 O.S. § 2-415(C)(2)(a), (D)(1)).

Trafficking cocaine (powder), 28 grams to 299 grams, second violation (63 O.S. § 2-415(C)(2)(a), (D)(2)).

Trafficking heroin 10 grams to 27 grams (63 O.S. § 2-415(C)(3)(a), (D)(1)).

Trafficking heroin 10 grams to 27 grams, second violation (63 O.S. § 2-415(C)(3)(a), (D)(2)).

Trafficking lysergic acid diethylamide (LSD) 50 to 1000 dosage units (63 O.S. § 2-415(C)(5)(a), (D)(1)).

Trafficking lysergic acid diethylamide (LSD) 50 to 1000 dosage units, second violation (63 O.S. § 2-415(C)(5)(a), (D)(2)).

Trafficking cocaine base (aka: crack) 5 to 49 grams (63 O.S. § 2-415(C)(7)(a), (D)(1)).

Trafficking cocaine base (aka: crack) 5 to 49 grams, second violation (63 O.S. § 2-415(C)(7)(a), (D)(2)).

16. SCHEDULE N-2 - Group A - Amount 2

Trafficking cocaine (powder) 300 grams or more (63 O.S. § 2-415(C)(2)(b), (D)(1)).

Trafficking cocaine (powder) 300 grams or more, second violation (63 O.S. § 2-415(C)(2)(b), (D)(2)).

Trafficking heroin 28 grams or more (63 O.S. § 2-415(C) (3) (b), (D) (1)).

Trafficking heroin 28 grams or more, second violation (63 O.S. § 2-415(C) (3) (b), (D) (2)).

Trafficking lysergic acid diethylamide (LSD) 1000 dosage units or more (63 O.S. § 2-415(C) (5) (b), (D) (1)).

Trafficking lysergic acid diethylamide (LSD) 1000 dosage units or more, second violation (63 O.S. § 2-415(C) (5) (b), (D) (2)).

Trafficking cocaine base (aka: crack) 50 grams or more (63 O.S. § 2-415(C) (7) (b), (D) (1)).

Trafficking cocaine base (aka: crack) 50 grams or more, second violation (63 O.S. § 2-415(C) (7) (b), (D) (2)).

17. SCHEDULE N-2 - Group B - Amount 1

Trafficking marihuana 1000 lbs or more, second violation (63 O.S. § 2-415(C) (1) (a), (D) (2)).

Trafficking amphetamine or methamphetamine 20 grams to 199 grams (63 O.S. § 2-415(C) (4) (a), (D) (1)).

Trafficking marihuana 25 lbs to 999 lbs (63 O.S. § 2-415(C) (1) (a), (D) (1)).

Trafficking amphetamine or methamphetamine 20 grams to 199 grams, second violation (63 O.S. § 2-415(C) (4) (a), (D) (2)).

Trafficking phencyclidine (PCP) 1 oz to 7.99 oz (63 O.S. § 2-415(C) (6) (a), (D) (1)).

Trafficking phencyclidine (PCP) 1 oz to 7.99 oz, second violation (63 O.S. § 2-415(C) (6) (a), (D) (2)).

18. SCHEDULE N-2 - Group B - Amount 2

Trafficking marihuana 1000 pounds or more (63 O.S. § 2-415(C) (1) (b), (D) (1)).

Trafficking marihuana 25 pounds to 999 pounds (63 O.S. § 2-415(C) (1) (b), (D) (2)).

Trafficking amphetamine or methamphetamine 200 grams or more (63 O.S. § 2-415(C) (4) (b), (D) (1)).

Trafficking amphetamine or methamphetamine 200 grams or more, second violation (63 O.S. § 2-415(C)(4)(b), (D)(2)).

Trafficking phencyclidine (PCP) 8 ounces or more (63 O.S. § 2-415(C)(6)(b), (D)(1)).

Trafficking phencyclidine (PCP) 8 ounces or more, second violation (63 O.S. § 2-415(C)(6)(b), (D)(2)).

19. ~~SCHEDULE N-3~~

~~Distribution, possession with intent to distribute, etc. (63 O.S. § 2-401(B)(1)).~~

~~Possession or purchasing CDS in presence of child under 12 (63 O.S. § 2-402(C)).~~

~~Possession or purchasing CDS in presence of child under 12, second offense (63 O.S. § 2-402(C)).~~

~~Delivering paraphernalia to person 3 or more years younger than offender (63 O.S. § 2-405(D)).~~

~~Cultivation (63 O.S. § 2-509(B)).~~

~~Cultivation, second or subsequent (63 O.S. § 2-509(D)).~~

20. SCHEDULE N-3 - Group A

Distribution, possession with intent to distribute, etc. Schedule I or II narcotic or LSD (63 O.S. § 2-401(B)(1)).

~~Possession~~ Distribution, possession with intent to distribute, etc. imitation CDS, second (63 O.S. § 2-401(B)(4)).

Synthetic CDS: manufacture, distribute, possession with intent to distribute (63 O.S. § 2-401(B)(5)).

Synthetic CDS: manufacture, distribute, possession with intent to distribute, second and subsequent (63 O.S. § 2-401(B)(5)).

Possession or purchasing CDS in presence of child under 12 Schedule I or II (except marihuana and subsection D of Section 2-206) (63 O.S. § 2-402(C)(1), (B)(1)).

Possession or purchasing any CDS in presence of child under 12, second offense (63 O.S. § 2-402(C)).

~~Cultivation Schedule I or II (63 O.S. § 2-509(B)).~~

Cultivation any schedule, second or subsequent (63 O.S. § 2-509(D)).

~~21.~~ 20. SCHEDULE N-3 - Group B

~~Possession~~ Distribution, possession with intent to distribute, etc. Schedule I substance not in Group A (~~other,~~ excluding marihuana) (63 O.S. § 2-401(B)(2)).

~~Possession~~ Distribution, possession with intent to distribute, etc. Schedule II substance not in Group A (~~other,~~ including subsection D) (63 O.S. § 2-401(B)(2)).

~~Possession~~ Distribution, possession with intent to distribute, etc. Schedule III (63 O.S. § 2-401(B)(2)).

~~Possession~~ Distribution, possession with intent to distribute, etc. Schedule IV (63 O.S. § 2-401(B)(2)).

~~Possession~~ Distribution, possession with intent to distribute, etc. imitation CDS, second (63 O.S. § 2-401(B)(4)).

Synthetic CDS: Manufacture, distribute, possession with intent to distribute (63 O.S. § 2-401(B)(5)).

Synthetic CDS: Manufacture, distribute, possession with intent to distribute, second and subsequent (63 O.S. § 2-401(B)(5)).

~~Possession~~ Distribution, possession with intent to distribute, etc. Schedule I narcotic or LSD (~~other,~~ excluding marihuana), second and subsequent (63 O.S. § 2-401(C), (B)(2)).

~~Possession~~ Distribution, possession with intent to distribute, etc. Schedule II narcotic or LSD (~~other,~~ including subsection D), second and subsequent (63 O.S. § 2-401(C), (B)(2)).

~~Possession~~ Distribution, possession with intent to distribute, etc. Schedule III, second and subsequent (63 O.S. § 2-401(C), (B)(2)).

~~Possession~~ Distribution, possession with intent to distribute, etc. Schedule IV, second and subsequent (63 O.S. § 2-401(C), (B)(2)).

~~Possession Distribution, possession with intent to distribute~~  
(63 O.S. § 2-401(E) (1), (B) (2)).

~~Possession Distribution, possession with intent to distribute~~  
(63 O.S. § 2-401(E) (1), (B) (2)).

~~Possession Distribution, possession with intent to distribute~~  
(63 O.S. § 2-401(E) (2), (B) (2)).

~~Possession or purchasing CDS in presence of child under 12 -  
second offense (63 O.S. § 2-402(C)).~~

Possession or purchasing CDS in presence of child under 12 -  
Schedule ~~II~~ III, IV (excluding marihuana and subsection D of Section  
2-206) (63 O.S. § 2-402(C) (1), (B) (2)).

Cultivation Schedule III or IV (63 O.S. § 2-509(B)).

~~22.~~ 21. SCHEDULE N-3 - Group C

~~Possession Distribution, possession with intent to distribute,~~  
etc., Schedule V and marihuana (63 O.S. § 2-401(B) (3)).

~~Possession Distribution, possession with intent to distribute,~~  
etc., imitation CDS, second violation (63 O.S. § 2-401(B) (4)).

Synthetic CDS: Manufacture, distribute, possession with intent  
to distribute, second and subsequent (63 O.S. § 2-401(B) (5)).

Synthetic CDS: Manufacture, distribute, possession with intent  
to distribute, second and subsequent (63 O.S. § 2-401(B) (5)).

~~Possession Distribution, possession with intent to distribute,~~  
etc., Schedule V and marihuana, second and subsequent (63 O.S. § 2-  
401(C), (B) (3)).

Possession or purchasing CDS in presence of child under 12 -  
Schedule V and marihuana (63 O.S. § 2-402(C) (1), (B) (2)).

Cultivation Schedule V (63 O.S. § 2-509(B)).

~~23.~~ 22. SCHEDULE N-4

Illegal RX of hormones (63 O.S. § 2-312.1).

Violating Precursor Substances Act, second offense (63 O.S. § 2-  
328(D)).

Violating Precursor Substances Act (by one required to have permit) (63 O.S. § 2-328(F)).

Registrant crimes (63 O.S. § 2-406(B), (A)).

Registrant crimes, second or subsequent (63 O.S. § 2-406(C), (A)).

Delivering paraphernalia to person 3 or more years younger than offender (63 O.S. § 2-405(D)).

~~24.~~ 23. SCHEDULE N-5

Possession Schedule I or II (except marihuana and subsection D of Section 2-206) (63 O.S. § 2-402(B) (1)).

Possession Schedule I or II (except marihuana and subsection D of Section 2-206), AFC (63 O.S. § 2-402(B) (1)).

Maintaining a place where CDS is kept (63 O.S. § 2-404(B)).

Maintaining a place where CDS is kept, second or subsequent (63 O.S. § 2-404(B)).

Obtaining CDS by fraud (63 O.S. § 2-407(A) (1)).

Obtaining CDS by forged RX (63 O.S. § 2-407(A) (2)).

Obtaining CDS by misrepresenting a material fact (63 O.S. § 2-407(A) (3)).

Obtaining CDS by giving a false name or false address (63 O.S. § 2-407(A) (4)).

Obtaining CDS by fraud, second or subsequent (63 O.S. § 2-407(C), (A) (1)).

Obtaining CDS by forged RX, second or subsequent (63 O.S. § 2-407(C), (A) (2)).

Obtaining CDS by misrepresenting a material fact, second or subsequent (63 O.S. § 2-407(C), (A) (3)).

Obtaining CDS by giving a false name or false address, second or subsequent (63 O.S. § 2-407(C), (A) (4)).

Maintaining a place where CDS is kept, second or subsequent (63 O.S. § 2-509)).

~~25.~~ 24. SCHEDULE S-1

Aggravated forcible sodomy (21 O.S. § 888).

Aggravated first degree rape (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated anal rape - first degree (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated first degree rape by force or fear (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated first degree rape of person under 14 years (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated first degree rape of person of unsound mind (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated first degree rape of person under 14 years (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated first degree rape by instrumentation resulting in bodily harm (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated first degree rape by instrumentation, person under 14 years (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated rape (21 O.S. § 1111, penalty contained in 21 O.S. § 1115; see also: 21 O.S. § 1114).

Aggravated rape by instrumentation (21 O.S. § 1111.1).

Aggravated rape committed during riot (21 O.S. § 1312(1)).

~~26.~~ 25. SCHEDULE S-2

Sexual abuse by a caretaker of any person entrusted to his or her care (21 O.S. § 843.1(A), penalty contained in 21 O.S. § 843.1(B)).

Forcible sodomy (21 O.S. § 888, penalty contained in 21 O.S. § 888(A); see: (21 O.S. § 888(B)(1)); (21 O.S. § 888(B)(2); (21 O.S. § 888(B)(3)).

First degree rape (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

Anal rape - first degree (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

First degree rape by force or fear (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

First degree rape of person under 14 years (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

First degree rape of person of unsound mind (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

First degree rape of person under 14 years (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

First degree rape by instrumentation resulting in bodily harm (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

First degree rape by instrumentation, person under 14 years (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

Rape (21 O.S. § 1111, penalty contained in 21 O.S. § 1115); see also: (21 O.S. § 1114).

Rape by instrumentation (21 O.S. § 1111.1).

First degree rape committed during riot (21 O.S. § 1312(1)).

~~27.~~ 26. SCHEDULE S-3

Incest (21 O.S. § 885).

Crime against nature, bestiality, sodomy (21 O.S. § 886).

Sexual solicitation of minors - soliciting or aiding minor to perform obscenity (21 O.S. § 1021(B)(1)).

Inducing minor to perform obscene conduct (21 O.S. § 1021(B)(2)).

Lewd exhibition of a child, causing minors to participate or engage in obscene or indecent writing or pictures and/or possessing or distributing such materials (21 O.S. § 1021.2).

Guardians/parents consenting to participation of minors in obscene writings or pictures (21 O.S. § 1021.3).

Knowingly engaging in prostitution while HIV infected (21 O.S. § 1031(B)).

Child prostitution (21 O.S. § 1031(C)).

Pandering, procuring, persuading, encouraging, tricking etc., a female to become inmate of house of prostitution (21 O.S. § 1081).

Restraining female in house of prostitution (21 O.S. § 1085).

Procuring a child under 18 years of age for prostitution, lewdness, or other indecent act (21 O.S. § 1087(A)).

Owner, proprietor permitting procuring a child under 18 years for prostitution, lewdness, or other indecent act (21 O.S. § 1087(B)).

Inducing, keeping, detaining or restraining a child under 18 years of age for prostitution (21 O.S. § 1088(A), penalty contained in 21 O.S. § 1088(B)).

Owner, proprietor permitting premises to be used to induce, keep, detain, or restrain child under 18 years for prostitution (21 O.S. § 1088(B)(2)).

Abduction of person under 15 years for purpose of marriage or concubinage, or crime of moral turpitude (21 O.S. § 1119).

Seduction under promise to marry (21 O.S. § 1120).

Marriage after seduction, abandonment (21 O.S. § 1122).

Lewd or indecent liberties with a child under 16 years (21 O.S. § 1123).

Lewd or indecent proposals or acts to a child under 16 years (21 O.S. § 1123(A)(1)-(5)).

Sexual battery (21 O.S. § 1123(B)).

Second degree rape (21 O.S. § 1111, penalty contained in 21 O.S. § 1116); see also: (21 O.S. § 1114).

Second degree rape by instrumentation, no bodily harm (21 O.S. § 1111, penalty contained in 21 O.S. § 1116); see also: (21 O.S. § 1114(B)).

Compelling a woman to marry (21 O.S. § 1117).

Intent to compel a woman to marry (21 O.S. § 1118).

Knowingly engaging in conduct reasonably likely to transfer HIV, exposing others to HIV (21 O.S. § 1192.1).

Second degree rape committed during riot (21 O.S. § 1312(1)).

~~28.~~ 27. SCHEDULE S-4

Indecent exposure, indecent exhibitions, obscene or indecent writings, pictures, etc. (21 O.S. § 1021(A)).

~~Sexual solicitation of minors - soliciting or aiding minor to perform obscenity (21 O.S. § 1021(B)(1)).~~

~~Inducing minor to perform obscene conduct (21 O.S. § 1021(B)(2)).~~

~~Lewd exhibition of a child, causing minors to participate or engage in obscene or indecent writing or pictures and/or possessing or distributing such materials (21 O.S. § 1021.2).~~

~~Guardians/parents consenting to participation of minors in obscene writings or pictures (21 O.S. § 1021.3).~~

Purchase, procurement, or possession of obscene material (21 O.S. § 1024.2).

~~Knowingly engaging in prostitution while HIV infected (21 O.S. § 1031(B)).~~

~~Child prostitution (21 O.S. § 1031(C)).~~

Buying, selling, or trafficking pictures, movies of sexual intercourse or unnatural copulation (21 O.S. § 1040.51).

~~Pandering, procuring, persuading, encouraging, tricking etc., a female to become inmate of house of prostitution (21 O.S. § 1081).~~

~~Restraining female in house of prostitution (21 O.S. § 1085).~~

Allowing pandering on premises (21 O.S. § 1086).

~~Owner, proprietor permitting procuring a child under 18 years for prostitution, lewdness, or other indecent act (21 O.S. § 1087(B)).~~

~~Owner, proprietor permitting premises to be used to induce, keep, detain, or restrain child under 18 years for prostitution (21 O.S. § 1088(B)(2)).~~

~~Abduction of person under 15 years for purpose of marriage or concubinage, or crime of moral turpitude (21 O.S. § 1119).~~

~~Knowingly engaging in conduct reasonably likely to transfer HIV, exposing others to HIV (21 O.S. § 1192.1).~~

SECTION 3. AMENDATORY Section 7, Chapter 133, O.S.L. 1997, as amended by Section 1, Chapter 333, O.S.L. 1997 (21 O.S. Supp. 1997, Section 17), is amended to read as follows:

Section 17. A. The sentencing ranges in the matrices shall be enhanced in accordance with the provisions of subsection C of Section 990a-1 of Title 22 of the Oklahoma Statutes and the following provisions based on the circumstances of the commission of the offense; however, the enhancement provision shall not apply to conduct which is an element of the offense. The following shall be offense enhancers:

1. If the offender committed the current offense with the use of a firearm within the immediate possession and control of the offender then the sentencing range shall be enhanced by two levels on the sentencing matrices;

2. If the victim of the offense is over sixty-two (62) years, under twelve (12) years, or is disabled by reason of mental or physical illness to such extent that the victim lacks the ability to effectively protect the victim's property or person, then the sentencing range shall be enhanced by two levels on the sentencing matrices;

3. If the property involved in a theft, embezzlement or fraud crime is of great value, then the punishment for committing that crime shall be enhanced. If the commission of the crime involved the use of drug proceeds then the punishment for committing the crime shall be enhanced by the amount of drug proceeds involved. The "amount involved" is a calculation of the value of the property involved in the crime, the amount of money that was stolen, embezzled or obtained by fraud, or the amount of drug proceeds which is utilized.

- a. If the amount involved is ~~greater than~~ Two Thousand Five Hundred Dollars (\$2,500.00) or more but ~~less not more~~ than Ten Thousand Dollars (\$10,000.00) then the sentencing range shall be enhanced two levels on the sentencing matrices.
- b. If the amount involved is greater than Ten Thousand Dollars (\$10,000.00) but ~~less not more~~ than One Hundred Thousand Dollars (\$100,000.00) then the sentencing range shall be enhanced by five levels on the sentencing matrices.
- c. If the amount involved is greater than One Hundred Thousand Dollars (\$100,000.00) but ~~less not more~~ than Five Hundred Thousand Dollars (\$500,000.00) then the sentencing range shall be enhanced by seven levels on the sentencing matrices.
- d. If the amount involved is greater than Five Hundred Thousand Dollars (\$500,000.00) then the sentencing range shall be enhanced to the highest level on the sentencing matrices;

4. If in the commission of the crimes, the offender tortured or maimed the victim then the sentencing range shall be enhanced two levels on the sentencing matrices;

5. If the offender committed a Schedule N-2 or N-3 offense of trafficking, distributing, dispensing, purchasing, transporting with the intent to distribute, or possessing with the intent to distribute a controlled dangerous substance, or a synthetic of the controlled dangerous substance, in or on, or within one thousand (1,000) feet of the real property comprising a public or private elementary or secondary school, public or private college or university, or other institution of higher education, recreation center or public park, including state parks and recreation areas, or public housing project, or in the presence of any child under twelve (12) years of age, then the sentencing range shall be enhanced by one level on the sentencing matrices; and

6. If the offender committed a Schedule N-2 or N-3 offense of trafficking, distributing, dispensing, purchasing, transporting with the intent to distribute, or possessing with the intent to distribute a controlled dangerous substance, or a synthetic of the controlled dangerous substance, by using or soliciting the services of a person less than eighteen (18) years of age, the sentencing range shall be enhanced by one level on the sentencing matrices, if the offender was at least eighteen (18) years of age at the time of the offense.

B. Every person who, having been previously convicted of an offense, commits any crime after such conviction, shall be punishable, upon conviction of a subsequently committed crime, by the following prior record enhancers:

1. If the prior offense is murder in the first degree or any other offense which is a Schedule A, Schedule N-1, or Schedule S-1 crime then the sentencing range shall be enhanced by six levels on the sentencing matrices;

2. If the prior offense is a Schedule B, Schedule N-2, or Schedule S-2 crime, then the sentencing range shall be enhanced by four levels on the sentencing matrices;

3. If the prior offense is a Schedule C crime, then the sentencing range shall be enhanced by two levels on the sentencing matrices;

4. If the prior offense is a Schedule D, Schedule D-1, Schedule N-3, Schedule N-4, or Schedule S-3 crime, then the sentencing range shall be enhanced by one level on the sentencing matrices; and

5. If the prior offense is a Schedule D-2, Schedule E, Schedule F, Schedule G, Schedule H, Schedule I-1, Schedule I-2, Schedule I-3, Schedule N-5, or Schedule S-4 crime, then the sentencing range shall be enhanced by one level on the sentencing matrices.

C. 1. If the person has been previously convicted of two or more felonies which do not arise out of the same transaction, occurrence, or series of events closely related in time and location, the sentencing range shall be enhanced based on each prior conviction, unless the prior convictions were concurrent sentences.

2. If the person has been previously convicted of two or more felonies which the defendant proved arose out of the same transaction, occurrence, or series of events closely related in time and location, the enhanced range of sentence for the current offense shall be determined on the schedule of punishment for the highest scheduled prior offense arising from that transaction.

3. If the person has been previously convicted of two or more felonies which did not arise out of the same transaction, occurrence, or series of events closely related in time and location but were concurrent sentences, the sentencing range shall be enhanced based on the maximum prior conviction plus one level.

D. No person shall be sentenced with a prior record enhancer when a period of ten (10) years has elapsed between the date of full completion of the sentence for the prior conviction and the date of the commission of the offense sought to be enhanced. For the purpose of this subsection, the date of full completion of the prior sentence shall be computed as though said sentence had been served

in full, and no methods of sentence reduction shall apply towards calculating this time period. Provided however, that the ten-year limitation on a prior conviction shall be tolled by an intervening conviction.

E. Unless otherwise provided by law, the enhancements provided by the Oklahoma Truth in Sentencing Act are cumulative, in that all applicable level increases are added together to produce the applicable sentencing range.

F. The state is required to provide notice of specific acts or prior convictions upon which the state will rely at sentencing for enhancement. ~~Unless otherwise ordered by the court~~ waived by both the defendant and the state, the notice shall be filed by the state ~~not less than thirty (30) days prior to the trial on the merits~~ within ten (10) days after arraignment if a plea of guilty is not entered prior to arraignment. If, prior to arraignment, the defendant indicates to the court that the defendant wishes to plead guilty, the court shall grant the state ten (10) days from that date to file the notice required by this subsection, if requested by the state.

SECTION 4. AMENDATORY 21 O.S. 1991, Section 1435, is amended to read as follows:

Section 1435. Every person who breaks and enters ~~any building~~ the unoccupied dwelling house of another or any part of ~~any building, room, booth, tent, railroad car, automobile, truck, trailer, vessel or other structure or erection,~~ the unoccupied dwelling house of another in which any property is kept, ~~or breaks into or forcibly opens, any coin operated or vending machine or device~~ with intent to steal any property therein or to commit any felony, is guilty of burglary in the second degree.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1435.1 of Title 21, unless there is created a duplication in numbering, reads as follows:

Every person who breaks and enters into any building, structure or erection other than a dwelling house, or any booth, tent, railroad car, automobile, truck, trailer, or vessel, in which any property is kept, with intent to steal any property therein or to commit any felony, is guilty of burglary in the third degree.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1435.2 of Title 21, unless there is created a duplication in numbering, reads as follows:

Every person who breaks into or forcibly opens any coin-operated or vending machine or device, with intent to steal any property therein or to commit any felony, is guilty of burglary in the fourth degree.

SECTION 7. AMENDATORY 21 O.S. 1991, Section 1436, as amended by Section 357, Chapter 133, O.S.L. 1997 (21 O.S. Supp. 1997, Section 1436), is amended to read as follows:

Section 1436. A. Burglary in the first degree is a Schedule D felony.

B. Burglary in the second degree is a Schedule D-1 felony.

C. Burglary in the third degree is a Schedule E felony.

D. Burglary in the fourth degree is a Schedule G felony.

SECTION 8. AMENDATORY 21 O.S. 1991, Section 1713, as amended by Section 393, Chapter 133, O.S.L. 1997 (21 O.S. Supp. 1997, Section 1713), is amended to read as follows:

Section 1713. A. Every person who buys or receives, in any manner, upon any consideration, any personal property of ~~any~~ an aggregate value ~~whatsoever~~ of less than Fifty Thousand Dollars (\$50,000.00) that has been stolen, embezzled, obtained by false pretense or robbery, knowing or having reasonable cause to believe the same to have been stolen, embezzled, obtained by false pretense, or robbery, or who conceals, withholds, or aids in concealing or withholding such property from the owner, shall be guilty of a

Schedule G felony. The fine for a violation of this section subsection shall not exceed Five Hundred Dollars (\$500.00).

B. Every person who buys or receives, in any manner, upon any consideration, any personal property of an aggregate value of Fifty Thousand Dollars (\$50,000.00) or more that has been stolen, embezzled, obtained by false pretense or robbery, knowing or having reasonable cause to believe the same to have been stolen, embezzled, obtained by false pretense, or robbery, or who conceals, withholds, or aids in concealing or withholding such property from the owner, shall be guilty of a Schedule D-1 felony. The fine for a violation of this subsection shall not exceed Fifty Thousand Dollars (\$50,000.00).

C. Every person who, without making reasonable inquiry, buys, receives, conceals, withholds, or aids in concealing or withholding any property which has been stolen, embezzled, obtained by false pretense or robbery, or otherwise feloniously obtained, under such circumstances as should cause such person to make reasonable inquiry to ascertain that the person from whom such property was bought or received had the legal right to sell or deliver it shall be presumed to have bought or received such property knowing it to have been so stolen or wrongfully obtained. This presumption may, however, be rebutted by proof.

SECTION 9. AMENDATORY Section 45, Chapter 133, O.S.L. 1997, as amended by Section 10, Chapter 333, O.S.L. 1997 (22 O.S. Supp. 1997, Section 987.7), is amended to read as follows:

Section 987.7 A. A detailed plan for each local community sentencing system shall be submitted each fiscal year to the Community Sentencing Division within the Department of Corrections pursuant to the rules promulgated for such purpose. The initial plan shall be submitted on or before February 1, 1998. ~~The designated judge of the planning council shall review the range of services proposed in the plan and declare in writing that the~~

~~proposed services meet the needs of the court for purposes of sentencing pursuant to the authority of the Oklahoma Community Sentencing Act and the local jurisdiction.~~ The designated judge of the planning council shall forward the plan to the Division for state approval and appropriate funding. A plan that conforms with the requirements mandated by the Oklahoma Community Sentencing Act shall not be modified or disapproved except when the plan requires more funding than is allocated to the local system. Each local community sentencing system plan shall include, but not be limited to:

1. Identification of existing resources, including cash, professional services, in-kind resources, property, or other sources of resources;

2. Identification of additional resources needed, identified by type and amount;

3. Projected number of offenders to be served by each provider and the projected total number of offenders to be served by the local system;

4. Types and priority groups of offenders to be served for purposes of budgeting and targeting specific use of selected service providers;

5. Identification of sentencing practices used for disciplinary sanctions for noncriminal conduct against participating offenders and applicable costs;

6. Identification of local policy statements;

7. Methods for allocating resources to support the services included in the plan;

8. Identification and evaluation of reciprocal agreements for out-of-jurisdiction services or methods for complying with requests for reciprocal agreements;

9. Identification of program evaluation methods and results, and criteria or minimal program standards;

10. Identification and evaluation of local record keeping and needs for audits or reviews;

11. Identification of any special administrative structure of the local system and list of specific service providers participating in the system, including detailed qualifications of staff and program administrators; and

12. Description and evaluation of the extent of community participation and support for the local system.

B. A local community sentencing system plan may be modified or expanded as provided by the rules promulgated for that purpose by the Community Sentencing Division within the Department of Corrections.

C. A community sentencing system shall be operational when the plan is approved by the Community Sentencing Division or is receiving funding. The Division, upon receipt of a proposed local system plan, shall have not more than forty-five (45) days to evaluate the plan and to notify the planning council of any modification necessary to comply with budget contracts. All modifications for budgeting purposes shall be completed by May 1 each year. Failure of the Division to request or finalize a budgetary modification within the times specified in this subsection shall constitute final approval of the plan for purposes of state funding and provider service agreements. The service agreements shall be finalized by June 30 of each year for each local community sentencing system. The Division shall not restrict by rule or practice the plan of any local system or determine what constitutes treatment or necessary services if the treatment or services comply with the requirements of the Oklahoma Community Sentencing Act, unless there is a demonstrated deficiency or poor program evaluation.

D. A local administrator as provided in Section ~~14~~ 987.13 of this ~~act~~ title shall assist the local planning council in gathering

and keeping accurate information about the jurisdiction to support the planning process. For the previous two (2) years, the information pertaining to the jurisdiction shall include, but not be limited to:

1. The number and rate of arrests, number of felony convictions, admissions to probation, number of offenders sentenced to post-imprisonment supervision, number of offenders sentenced to county jail, average length of sentence served in county jail, number of offenders sentenced to the custody of the Department of Corrections, and average length of sentence served in the custody of the Department of Corrections;

2. Current jail conditions, staff, capacity, and jail population data by offender-type including, but not limited to, misdemeanor, felony, trusty, post-trial detainee, pretrial detainee, disciplinary sanction or juvenile;

3. A listing of services and programs available in the community, including costs, space availability, the number of offenders participating, the average length of participation and performance-based data;

4. Range of community punishments previously used by the courts for offenders within the jurisdiction, including methods and use of disciplinary sanctions for noncriminal behavior of offenders participating in the program and opportunities for incentives;

5. A listing of educational, vocational-technical, health, mental health, substance abuse treatment, medical, and social services available to offenders or to be made available within a twelve-month period;

6. Restrictive residential facilities or other restrictive housing options available or to be made available within a twelve-month period; and

7. Approved local system plans and budgets.

SECTION 10. AMENDATORY Section 47, Chapter 133, O.S.L. 1997 (22 O.S. Supp. 1997, Section 987.9), is amended to read as follows:

Section 987.9 A. Any offender sentenced to a community sentence pursuant to the applicable state sentencing matrix which requires supervision, or otherwise as authorized by law for a suspended or deferred sentence with supervision, shall be required to pay a supervision fee. The supervising agency shall establish the fee amount, not to exceed Forty Dollars (\$40.00) per month, based upon the offender's ability to pay. In hardship cases the supervising agency may expressly waive all or part of the fee. No supervising agency participating in a local community sentencing system shall deny any offender services for the sole reason that the offender is indigent. Fees collected for supervision services performed by the Department of Corrections shall be paid directly to the Department to be deposited in the Department of Corrections Revolving Fund.

B. In addition to any supervision fee required, offenders participating in a local community sentencing system shall be required to pay a user fee for administrative services from the local system which shall not exceed Twenty Dollars (\$20.00) per month to be set by the local administrator. User fees when collected shall be deposited with the Community Sentencing Division within the Department of Corrections and credited to the local community sentencing system for support and expansion of the local community corrections system.

C. In addition to any supervision fee or user fee authorized by this section, the court shall assess court costs, and may assess program costs, restitution, and fines to be paid by the offender as the punishment imposed, subject to the person's ability to pay.

Any fees, court costs, program costs, restitution and fines assessed against an offender pursuant to a community sentence shall

remain a continuing obligation of the offender until fully satisfied by the offender, subject to collection methods authorized by law.

SECTION 11. AMENDATORY Section 57, Chapter 133, O.S.L. 1997, as amended by Section 17, Chapter 333, O.S.L. 1997 (22 O.S. Supp. 1997, Section 987.19), is amended to read as follows:

Section 987.19 A. When ordering a community sentence or community punishment pursuant to the applicable state sentencing matrix or as otherwise provided by law, the court shall impose the punishment appropriate for the offense as authorized by law, and may order appropriate treatment as authorized by law. The local community sentencing system administrator shall have authority for all offender placements within the local community sentencing system. The court may order that a community sentence be served in a county other than the sentencing county if the sentencing county is willing to pay all costs associated with serving the community sentence or if the sentencing county has a reciprocal agreement with the county where the community sentence will be served.

B. Persons convicted of or pleading guilty or nolo contendere to a misdemeanor offense or a combination of misdemeanor and felony offenses may receive services from a local community sentencing system when the county agrees in writing to pay the Community Sentencing Division within the Department of Corrections for the actual costs of services used for misdemeanor cases; provided, however, this provision shall not preclude any felony offender from receiving services as required by law. The community sentencing planning council as provided in Sections ~~8~~ 987.5 and ~~9~~ 987.6 of this ~~act~~ title shall recommend to the local administrator whether or not any programs or services will be offered for misdemeanor cases. The Community Sentencing Division shall have the responsibility for entering into the written agreement with the county for the required payments since no state funds shall be used to pay for misdemeanor offenses.

C. Any time during the term of a community sentence, the court imposing the sentence may modify any previous provision as provided in this section upon motion of the district attorney, the defense attorney, or the offender. The authority to modify a community sentence shall not apply to any person who:

1. Is incarcerated in any state correctional facility;
2. Is subject to a suspended sentence or portion thereof;
3. Is subject to a delayed sentence; or
4. Is subject to the provisions of Section 996 et seq. of ~~Title 22 of the Oklahoma Statutes~~ this title.

D. Upon consideration of a properly filed motion to modify a community sentence pursuant to the provisions of this section, the staff of the community sentencing system in which the offender is ordered to participate, the sheriff, the district attorney, the service provider, or any agency or person providing supervision of the offender shall provide the court with any reports and other information available and relating to the offender, and to the reason for the motion to modify the sentence. The court shall consider any reports and information submitted prior to modifying the sentence.

E. If the court considers a motion to modify a community sentence, a hearing shall be held in open court. The notice of the hearing shall be given to the offender, the offender's legal counsel, and the district attorney of the county in which the offender was convicted not less than ten (10) days prior to the hearing. A copy of any reports to be presented to the court shall accompany the notice of hearing.

F. Following the hearing, the court shall enter the appropriate order authorized by law. The court may modify any community sentence by imposing any other punishment allowed by law for the offense and appropriate for the circumstances as determined by the discretion of the judge; provided, however, no punishment shall be

imposed which is greater than the maximum punishment allowed by law for the original offense. The court shall give the offender day-for-day credit on any modified sentence for any community time served, ~~whether or not any term of incarceration was imposed~~ as a term of confinement. The court may decline to modify a community sentence and impose either a disciplinary sanction or an incentive as provided in Section ~~58~~ 987.20 of ~~the Oklahoma Truth in Sentencing Act~~ this title.

G. The court shall not be limited on the number of modifications a sentence may have within the term of the community sentence.

H. Any offender who files a meritless or frivolous motion to modify a community sentence shall pay the costs of the proceeding and may be sanctioned as deemed appropriate by the court.

I. A community sentence may be revoked to confinement in the custody of the Department of Corrections. A revocation of a community sentence to a Department of Corrections penal institution shall require proof by a preponderance of the evidence that imposition of incentives or disciplinary sanctions has been attempted and has not resulted in compliance of the offender with the conditions of the community sentence, unless the revocation is being requested because the offender has committed a felony.

J. The Department of Corrections shall establish rules for revoking a community sentence to a Department of Corrections penal institution. The maximum term of any imprisonment given on a revocation of a community sentence to the custody of the Department of Corrections shall not exceed the prescribed term of incarceration for the offense as provided in the state's sentencing matrices. When a community sentence is revoked to state imprisonment, the court shall give a day-for-day credit for all ~~time~~ terms of confinement served in the community.

J. K. For purposes of the Oklahoma Community Sentencing Act and the state's sentencing matrices for Fields 2, 3 and 4 punishment levels, any offender convicted and sentenced for a first time community sentence, unless previously convicted of a felony, shall have the criminal record expunged for that offense upon a successful completion of the community sentence. When the local administrator of the community corrections system where the offender has served the sentence has filed the final documentation of completion of the community sentence, the court shall order the verdict or plea of guilty or plea of nolo contendere to be expunged for that offense from the record and the charge dismissed of record. For subsequent offenses for which the person is convicted, the effect of this provision shall be to treat the first expungement as a prior conviction when applying any applicable enhancements.

SECTION 12. AMENDATORY Section 58, Chapter 133, O.S.L. 1997 (22 O.S. Supp. 1997, Section 987.20), is amended to read as follows:

Section 987.20 A. Upon proper motion to the court to modify a community sentence as provided in Section ~~57~~ 987.19 of this ~~act~~ title, the judge shall have authority to impose disciplinary sanctions. An order for a disciplinary sanction shall not modify the terms of the original sentence and shall be used to gain compliance with the original court order. The Community Sentencing Division within the Department of Corrections shall establish maximum funding of disciplinary sanctions for targeted offenses within the state's sentencing matrices. Disciplinary sanctions ordered in excess of the established funding priorities shall not be reimbursed by the state. The court may order any community punishment available in the jurisdiction deemed appropriate by the judge for the circumstance including, but not limited to, a term of imprisonment not to exceed five (5) days ~~per disciplinary order~~ for

the first sanction, ten (10) days for the second sanction, and fifteen (15) days for the third or subsequent sanction in either:

1. The county jail;
2. A residential treatment facility;
3. A restrictive housing facility; or
4. A halfway house.

The sheriff shall deliver the offender to the designated place of confinement, provided the place of confinement has an agreement for confinement services with the local community sentencing system. The offender shall be given day-for-day credit for any terms of incarceration served in the county jail or other restrictive facility when the sentence must be modified or revoked.

B. The court may, through a standing court order, provide for specific disciplinary sanctions and incentives which may be utilized by the local administrator upon notification to the court.

C. The court shall have authority to offer incentives to offenders to encourage proper conduct in the community and for compliance with the court orders. The court shall use its discretion in ordering appropriate incentives. Incentives shall be considered a modification to the original sentence and may be ordered after the motion to modify has been heard.

D. When any offender is disciplined by the court as authorized by this section and is to be imprisoned in the county jail or other restrictive facility, the sheriff or facility administrator shall receive compensation as provided by their agreement with the local community sentencing system, or the sheriff or facility administrator shall be paid directly for the services by the offender when ordered to pay for the confinement as part of the disciplinary sanction. In no event shall any compensation for disciplinary confinement exceed the maximum amount provided for county jail confinement in subsection B of Section 38 of Title 57 of

the Oklahoma Statutes, or the amount provided by a service agreement with a private provider included in the local system plan.

E. The Department of Corrections is prohibited from accepting offenders into state correctional facilities for disciplinary sanctions and is prohibited from contracting to pay for any offender imprisoned in the county jail for disciplinary sanctions or when sentenced to another restrictive facility as a disciplinary sanction; provided, however, the Department shall pay for any parolee or inmate serving a community assignment pursuant to law when that person must be imprisoned in the county jail for a disciplinary sanction authorized by the Department of Corrections.

SECTION 13. AMENDATORY Section 60, Chapter 133, O.S.L. 1997, as amended by Section 18, Chapter 333, O.S.L. 1997 (22 O.S. Supp. 1997, Section 987.22), is amended to read as follows:

Section 987.22 A. Any offender ordered to participate in the local community sentencing system shall be advised of the conditions of the specific program or service to which he or she is assigned.

B. Offenders shall not be ordered to participate in any service or program within any community sentencing system established pursuant to the Oklahoma Community Sentencing Act which requires the offender to use private transportation to reach the service location when the one-way-trip driving distance is more than sixty (60) miles from the residence of the offender, ~~except by~~ without the written consent of the offender, unless a service or program is not available within a driving distance of sixty (60) miles of the residence of the offender.

C. Prior to completing a community punishment pursuant to the requirements of the state's sentencing matrix or any other provisions of law, the offender may, in special circumstances, request a reciprocal assignment in another jurisdiction to complete the terms and conditions of the community punishment. Each approved community sentencing system shall have entered into a reciprocal

agreement for services with the other jurisdiction, and shall have the approval of the receiving jurisdiction and a court order from the court having jurisdiction of the offender before any transfer of the person, case, and services shall be made.

D. Upon completion of any court-ordered provision, pursuant to a community sentence or any provision of law, the administrator of the local system shall file a statement with the court defining the provision which has been successfully completed. When all court-ordered provisions have been successfully completed the defendant shall be deemed to have completed the community punishment and shall be released.

E. The provisions of the Oklahoma Community Sentencing Act shall not confer any rights upon the defendant to avoid a term of imprisonment prescribed by law for the offense, nor grant any additional rights to appeal for failure to be offered any specific punishment or treatment option in any community sentence.

F. A For a community sentence:

1. Incarceration shall not exceed the amount of time allowed pursuant to the state's sentencing matrix or any other provisions of law; and

2. Participation in programs and services prescribed by the court including the imposition of incentives and disciplinary sanctions pursuant to a community sentence shall not ~~require~~ ~~programs or services for more than~~ exceed three (3) years from the date of sentencing; and

3. Under no circumstances shall incarceration and participation in programs pursuant to a community sentence exceed a period of four (4) years, except that if the court finds the defendant has failed to make restitution and that the failure is not willful, the court may extend the community sentence for a period of time within which to make restitution. The length of said additional period shall not be more than three (3) years. The court shall retain all of the

incidents of the original sentence, including the authority to revoke or further modify the sentence if the conditions of payment are violated during such additional period.

SECTION 14. AMENDATORY 22 O.S. 1991, Section 991c, as last amended by Section 70, Chapter 133, O.S.L. 1997 (22 O.S. Supp. 1997, Section 991c), is amended to read as follows:

Section 991c. A. Upon a verdict or plea of guilty or upon a plea of nolo contendere, but before a judgment of guilt, the court may, without entering a judgment of guilt and with the consent of the defendant, defer further proceedings upon the specific conditions prescribed by the court not to exceed a five-year period. The court shall first consider restitution among the various conditions it may prescribe. The court may also consider ordering the defendant to:

1. Engage in a term of community service without compensation, according to a schedule consistent with the employment and family responsibilities of the defendant;

2. County jail confinement for a period not to exceed ninety (90) days or the maximum amount of jail time provided for the offense, if it is less than ninety (90) days; provided however, the state shall not pay for any confinement ordered pursuant to the provisions of this section;

3. Pay an amount as reimbursement for reasonable attorney fee, to be paid into the court fund, if a court-appointed attorney has been provided to defendant;

4. Be supervised in the community for a period not to exceed two (2) years. As a condition of any supervision, the defendant shall be required to pay a supervision fee of Forty Dollars (\$40.00) per month. The supervision fee shall be waived in whole or part by the supervisory agency when the accused is indigent. No person shall be denied supervision based solely on the person's inability to pay a fee;

5. Pay into the court fund a monthly amount not exceeding Forty Dollars (\$40.00) per month during any period during which the proceedings are deferred when the defendant is not to be supervised in the community. The total amount to be paid into the court fund shall be established by the court and shall not exceed the amount of the maximum fine authorized by law for the offense;

6. Make other reparations to the community or victim as required and deemed appropriate by the court;

7. Order any remedies for which provision is made in subsection B of Section ~~46~~ 987.8 of this ~~act~~ title;

8. Pay court costs; ~~or~~

9. Pay a fine as authorized by law for the offense; or

10. Any combination of the above provisions.

B. In addition to any conditions provided for in subsection A of this section, the court shall, in the case of a person before the court for the offense of operating or being in control of a motor vehicle while the person was under the influence of alcohol, other intoxicating substance, or a combination of alcohol and another intoxicating substance, or who is before the court for the offense of operating a motor vehicle while the ability of the person to operate such vehicle was impaired due to the consumption of alcohol, require the person to participate in an alcohol and drug substance abuse evaluation program offered by a facility or qualified practitioner certified by the Department of Mental Health and Substance Abuse Services for the purpose of evaluating the receptivity to treatment and prognosis of the person. The court shall order the person to reimburse the facility or qualified practitioner for the evaluation. The Department of Mental Health and Substance Abuse Services shall establish a fee schedule, based upon a person's ability to pay, provided the fee for an evaluation shall not exceed Seventy-five Dollars (\$75.00). The evaluation shall be conducted at a certified facility, the office of a

qualified practitioner or at another location as ordered by the court. The facility or qualified practitioner shall, within seventy-two (72) hours from the time the person is assessed, submit a written report to the court for the purpose of assisting the court in its determination of conditions for deferred sentence. No person, agency or facility operating an alcohol and drug substance abuse evaluation program certified by the Department of Mental Health and Substance Abuse Services shall solicit or refer any person evaluated pursuant to this subsection for any treatment program or alcohol and drug substance abuse service in which the person, agency or facility has a vested interest; however, this provision shall not be construed to prohibit the court from ordering participation in or any person from voluntarily utilizing a treatment program or alcohol and drug substance abuse service offered by such person, agency or facility. Any evaluation report submitted to the court pursuant to this subsection shall be handled in a manner which will keep the report confidential from the general public's review. Nothing contained in this subsection shall be construed to prohibit the court from ordering judgment and sentence in the event the defendant fails or refuses to comply with an order of the court to obtain the evaluation required by this subsection. As used in this subsection, "qualified practitioner" means a person with at least a bachelor's degree in substance abuse treatment, mental health or a related health care field and at least two (2) years' experience in providing alcohol abuse treatment, other drug abuse treatment, or both alcohol and other drug abuse treatment who is certified each year by the Department of Mental Health and Substance Abuse Services to provide these assessments. However, any person who does not meet the requirements for a qualified practitioner as defined herein, but who has been previously certified by the Department of Mental Health and Substance Abuse Services to provide alcohol or drug treatment or assessments, shall

be considered a qualified practitioner provided all education, experience and certification requirements stated herein are met by September 1, 1995. The court may also require the person to participate in one or both of the following:

1. An alcohol and drug substance abuse course, pursuant to Sections 3-452 and 3-453 of Title 43A of the Oklahoma Statutes; and

2. A victims impact panel program, if such a program is offered in the county where the judgment is rendered. The defendant shall be required to pay a fee, not less than Five Dollars (\$5.00) nor more than Fifteen Dollars (\$15.00) as set by the governing authority of the program and approved by the court, to the victims impact panel program to offset the cost of participation by the defendant, if in the opinion of the court the defendant has the ability to pay such fee.

C. Upon completion of the conditions of the deferred judgment, and upon a finding by the court that the conditions have been met and all fines, fees, and monetary assessments have been paid as ordered, the defendant shall be discharged without a court judgment of guilt, and the court shall order the verdict or plea of guilty or plea of nolo contendere to be expunged from the record and the charge shall be dismissed with prejudice to any further action. The procedure to expunge the defendant's record shall be as follows:

1. All references to the defendant's name shall be deleted from the docket sheet;

2. The public index of the filing of the charge shall be expunged by deletion, mark-out or obliteration;

3. Upon expungement, the court clerk shall keep a separate confidential index of case numbers and names of defendants which have been obliterated pursuant to the provisions of this section;

4. No information concerning the confidential file shall be revealed or released, except upon written order of a judge of the district court; and

5. Defendants qualifying under Section 18 of this title may petition the court to have the filing of the indictment and the dismissal expunged from the public index and docket sheet. This section shall not be mutually exclusive of Section 18 of this title.

D. Upon order of the court, the provisions of subsection C of this section shall be retroactive.

E. Upon violation of any condition of the deferred judgment, the court may enter a judgment of guilt and proceed as provided in Section 991a of this title or may modify any condition imposed. Provided, however, if the deferred judgment is for a felony offense, and the defendant commits another felony offense, the defendant shall not be allowed bail pending appeal.

F. The deferred judgment procedure described in this section shall only apply to defendants not having been previously convicted of a felony offense.

G. The deferred judgment procedure described in this section shall not apply to defendants who plead guilty or nolo contendere to a sex offense. The term "sex offense" shall not include a violation of paragraph 1 of subsection A of Section 1021 of Title 21 of the Oklahoma Statutes.

H. The Department of Corrections may provide supervision for deferred judgments by contract with the local community sentencing system, and any conditional requirements imposed shall be subject to availability of funding in the local community sentencing system.

SECTION 15. AMENDATORY Section 20, Chapter 133, O.S.L. 1997 (22 O.S. Supp. 1997, Section 991c-1), is amended to read as follows:

Section 991c-1. A. For persons sentenced to the custody of the Department of Corrections, a term of postimprisonment supervision may be imposed as part of the sentence for an offender who is not sentenced to a deferred sentence ~~or a~~ suspended sentence, or community sentence. The term of postimprisonment supervision and

term of imprisonment shall not exceed the maximum amount of time authorized by law for the sentence. The term of postimprisonment supervision may be with or without any of the conditions authorized by subsection B of Section ~~46~~ 987.8 of this ~~act~~ title. For a Schedule A, Schedule B, Schedule C, Schedule D, Schedule I-1, Schedule N-1, Schedule N-2, Schedule N-3, Group A and Group B, Schedule S-1, or Schedule S-2 crime, the term of supervision shall not exceed five (5) years. For a Schedule D-1, Schedule D-2, Schedule E, Schedule F, Schedule G, Schedule I-2, Schedule N-3 - Group C, Schedule N-4, Schedule S-3, or Schedule S-4 crime, the term of supervision shall not exceed four (4) years. For a ~~Schedule H,~~ Schedule I-3~~7~~ or Schedule N-5 crime, the term of supervision shall not exceed three (3) years.

B. 1. Whenever a sentence of postimprisonment supervision has been imposed, the supervision of said person may not be revoked, in whole or in part, for any cause unless a motion setting forth the grounds for such revocation and establishing violation of the conditions of supervision is filed by the district attorney with the clerk of the sentencing court. The motion establishing a violation shall be considered by the court at a hearing to be held for that purpose within twenty (20) days after the entry of the plea of not guilty to the motion, unless waived by both the state and the defendant. The state shall prove a violation of the conditions of postimprisonment supervision by a preponderance of the evidence.

2. If one of the grounds for revocation is the failure of the defendant to make restitution as ordered, the Department of Corrections shall forward to the district attorney all information pertaining to the defendant's failure to make timely restitution as ordered by the court, and said district attorney shall file a petition setting forth the grounds for revocation.

3. The defendant ordered to make restitution can petition the court at any time for remission or a change in the terms of the

order of restitution if he undergoes a change of condition which materially affects his ability to comply with the court's order.

4. At the hearing, if one of the grounds for the motion for revocation is the defendant's failure to make timely restitution as ordered by the court, the court will hear evidence and, if it appears to the satisfaction of the court from such evidence that the terms of the order of restitution create a manifest hardship on the defendant or his immediate family, the court may cancel all or any part of the amount still due, or modify the terms or method of payment.

C. The court may revoke all of the postimprisonment supervision or a portion of the postimprisonment supervision and leave the remaining part not revoked for the remainder of the term of the sentence. The person whose supervision is being considered for revocation at said hearing shall have the right to be represented by counsel, to present competent evidence in his own behalf and to be confronted by the witnesses against him. Any order of the court revoking postimprisonment supervision, in whole or in part, shall be subject to review on appeal, as in other appeals of criminal cases. Provided, however, that if the crime for which the postimprisonment supervision is given was a felony, the defendant may be allowed bail pending appeal. If the reason for revocation is that the defendant committed a felony, the defendant shall not be allowed bail pending appeal.

D. The term of confinement for violation of a sentence of postimprisonment supervision shall not exceed the maximum amount of the term of supervision to which the person was sentenced.

E. For purposes of calculating the amount of time which may be revoked for an offender on a term of postimprisonment supervision, the offender shall be given credit for each day of the sentence completed prior to the filing of an application to revoke postimprisonment supervision.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 347.1 of Title 57, unless there is created a duplication in numbering, reads as follows:

For purposes of the Interstate Compact for the Supervision of Parolees and Probationers only, a person sentenced to community punishment pursuant to the Oklahoma Community Corrections Act shall be considered a probationer who may be sent to another state, if the person meets the requirements of the Compact and Section 347 of Title 57 of the Oklahoma Statutes.

SECTION 20. This act shall become effective July 1, 1998.

SECTION 21. 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.

46-2-2691

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(<time=system>)