

ENGROSSED HOUSE  
BILL NO. 1470

By: Paulk, Braddock,  
Lindley, Worthen and  
McCarter of the House

and

Kerr of the Senate

( crimes and punishments - amending 21 O.S., Section 701.7  
- murder in the first degree - codification -  
effective date )

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 701.7, as amended by Section 1, Chapter 161, O.S.L. 1996 (21 O.S. Supp. 1996, Section 701.7), is amended to read as follows:

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

B. A person also commits the crime of murder in the first degree, regardless of malice, when that person or any other person takes the life of a human being during, or if the death of a human being results from, the commission or attempted commission of murder of another person, shooting or discharge of a firearm or crossbow with intent to kill, forcible rape, robbery with a dangerous weapon, kidnapping, escape from lawful custody, first degree burglary, first degree arson, intentional discharge of a weapon towards a structure, intentional discharge of a weapon from a vehicle towards a structure

in conscious disregard for the safety of any other person, unlawful distributing or dispensing of controlled dangerous substances, or trafficking in illegal drugs.

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

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

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1272.3 of Title 21, unless there is created a duplication in numbering, reads as follows:

Any person who intentionally discharges any kind of firearm or other weapon towards a structure in conscious disregard for the safety of any other person, shall be guilty of a felony, and upon conviction shall be punishable by imprisonment in the state penitentiary for not less than two (2) nor more than twenty (20) years.

SECTION 3. This act shall become effective November 1, 1997.

Passed the House of Representatives the 27th day of February, 1997.

Speaker of the House of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1997.

President \_\_\_\_\_ of the Senate