

ENGROSSED HOUSE
BILL NO. 1614

By: Graves, Glover and
Greenwood of the House

and

Smith of the Senate

An Act relating to crimes and punishments; amending
21 O.S. 1991, Section 701.12, which relates to
aggravating circumstances; modifying facts which
may constitute certain aggravating circumstance;
and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 701.12, is
amended to read as follows:

Section 701.12 Aggravating circumstances shall be:

1. The defendant was previously convicted of a felony involving
the use or threat of violence to the person;
2. The defendant knowingly created a great risk of death to
more than one person;
3. The person committed the murder for remuneration or the
promise of remuneration or employed another to commit the murder for
remuneration or the promise of remuneration;
4. The murder was especially heinous, atrocious, or cruel;
5. The murder was committed for the purpose of avoiding or
preventing a lawful arrest or prosecution;

6. The murder was committed by a person while serving a sentence of imprisonment on conviction of a felony;

7. The existence of a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society; or

8. The victim of the murder was a peace officer as defined by Section 99 of Title 21 of the Oklahoma Statutes, ~~or guard of an institution under the control of the Department of Corrections, and such person was killed while in performance of official duty~~ a correctional officer or employee, an employee of a jail, a private prison employee, a probation or parole officer, a district attorney or assistant district attorney, a defense attorney, a judicial officer, an elected official or a firefighter and such person was killed while in performance of an official duty.

SECTION 2. This act shall become effective November 1, 1997.

Passed the House of Representatives the 25th day of February, 1997.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1997.

President of the Senate