

SHORT TITLE: Assault and battery; including private prison employee
in protected status battery; penalty; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 487

By: Price

AS INTRODUCED

An Act relating to assault and battery; amending 21 O.S. 1991, Section 650.2, as last amended by Section 27, Chapter 247, O.S.L. 1996 (21 O.S. Supp. 1996, Section 650.2), which relates to aggravated assault and battery; modifying gender; including private prison employee in protected status battery; setting penalty; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 650.2, as last amended by Section 27, Chapter 247, O.S.L. 1996 (21 O.S. Supp. 1996, Section 650.2), is amended to read as follows:

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

B. Every person in the custody of the Department of Human Services who, without justifiable or excusable cause, knowingly commits any aggravated assault and battery upon the person of a Department of Human Services employee while said employee is in the

performance of his or her duties shall, upon conviction thereof, be guilty of a felony.

C. Every person in the custody of the Office of Juvenile Affairs who, without justifiable or excusable cause, knowingly commits any aggravated assault and battery upon the person of an Office of Juvenile Affairs employee while said employee is in the performance of his or her duties shall, upon conviction thereof, be guilty of a felony.

D. Every person in the custody of the Department of Corrections, or in the custody of another state correctional authority who, without justifiable or excusable cause, knowingly commits any aggravated assault and battery upon the person of a private prison contractor employee while said employee is in the performance of his or her duties shall, upon conviction thereof, be guilty of a felony.

SECTION 2. 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.

46-1-0388

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