

SHORT TITLE: Juveniles; providing penalties; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 548

By: Hendrick

AS INTRODUCED

An Act relating to criminal actions; 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 on certain employees; providing for the crime of battery or assault and battery upon employees of certain residential facilities; providing penalties; and providing effective date.

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~~ the employee is in the performance of his 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~~ the employee is in

the performance of ~~his~~ such 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~~ the employee is in the performance of his duties shall, upon conviction thereof, be guilty of a felony.

D. Every person in the custody of the Office of Juvenile Affairs and who has been placed in any residential facility who, without justifiable or excusable cause, knowingly commits any battery or assault and battery upon the person of an employee of the facility while the employee is in the performance of such duties shall, upon conviction, be guilty of a felony and shall be sentenced to the custody of the Department of Corrections not to exceed two (2) years or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

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

46-1-0881

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