

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1013

By: Adkins, Adair, Bryant,
Case, Greenwood, Hiett,
Ingmire, Liotta, Morgan,
Nance, Perry, Phillips,
Sullivan (John),
Thornbrugh, Wright, Benge,
Calvey, Jones, Miller,
Piatt, Pope (Tim), Roggow
and Winchester of the House

and

Pruitt, Helton, Crutchfield
and Ford of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; providing short title; establishing crime of weapon possession during certain crimes; establishing penalty; defining term; providing for codification; providing for noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

Section 2 of this act shall be known and may be cited as the "Brandy Thurmond Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1287.1 of Title 21, unless there is created a duplication in numbering, reads as follows:

PENALTY ENHANCEMENT FOR WEAPON POSSESSION

Any person who, while committing or attempting to commit a crime of violence, discharges a firearm, in addition to the penalty provided by statute for the crime of violence committed or attempted, upon conviction, may be charged, in the discretion of the

1 district attorney, with an additional felony for possessing such
2 weapon, which shall be a separate offense punishable, upon
3 conviction, by not less than ten (10) years in the custody of the
4 Department of Corrections which may be served concurrently with the
5 sentence for the crime of violence. For purposes of this section,
6 "crime of violence" means an offense that is a felony and has as an
7 element of the offense, the use, attempted use, or threatened use of
8 physical force against the person of another or that by its nature
9 involves a substantial risk that physical force against the person
10 of another may be used in the course of committing the offense. For
11 purposes of this section, "firearm" means a rifle, pistol or
12 shotgun.

13 SECTION 3. This act shall become effective November 1, 1999.

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