

ENROLLED 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,  
Winchester and Dank of the  
House

and

Pruitt, Helton, Crutchfield  
and Ford of the Senate

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

purposes of this section, "firearm" means a rifle, pistol or  
shotgun.

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

Passed the House of Representatives the 25th day of May, 1999.

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Speaker of the House of  
Representatives

Passed the Senate the 25th day of May, 1999.

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President of the Senate