

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

HOUSE BILL NO. 1728

By: Calvey

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1401, as amended by Section 1, Chapter 145, O.S.L. 1996, and Section 2, Chapter 145, O.S.L. 1996 (21 O.S. Supp. 1998, Sections 1401 and 1405), which relate to arson; modifying punishments; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1401, as amended by Section 1, Chapter 145, O.S.L. 1996 (21 O.S. Supp. 1998, Section 1401), is amended to read as follows:

Section 1401. Any person who willfully and maliciously sets fire to or burns, or by the use of any explosive device, accelerant, ignition device, heat-producing device or substance, destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any building or structure or contents thereof, inhabited or occupied by one or more persons, whether the property of that person or another, or who willfully and maliciously sets fire to or burns, or by the use of any explosive device, accelerant, ignition device, heat-producing device or substance, causes a person to be burned, or aids, counsels or procures the burning of a person, shall be guilty of arson in the first degree, and upon conviction thereof shall be punished by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00) or be confined to the penitentiary for not less than ten (10) years nor more than thirty-five (35) years or both.

SECTION 2. AMENDATORY Section 2, Chapter 145, O.S.L. 1996 (21 O.S. Supp. 1998, Section 1405), is amended to read as follows:

Section 1405. Any person violating any of the provisions of Sections 1401, 1402, 1403 or 1404 of this title who during such violation endangers any human life, including all emergency service personnel, shall be guilty of a felony and upon conviction shall be punished by imprisonment in the penitentiary for not less than ~~three~~ ~~(3)~~ five (5) years nor more than ~~ten (10)~~ twenty (20) years, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00) or both. If personal injury results, the person shall be punished by imprisonment in the penitentiary for not less than ~~seven (7)~~ ten (10) years.

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

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