

CS for EHB 1003

1 THE STATE SENATE  
2 Tuesday, March 30, 1999

3 Committee Substitute for  
4 ENGROSSED  
5 House Bill No. 1003

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 1003 - By: BENSON  
7 of the House and TAYLOR of the Senate.

8 [ crimes and punishments - effective date -  
9 emergency ]

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

11 SECTION 1. AMENDATORY Section 4, Chapter 133, O.S.L.

12 1997 (21 O.S. Supp. 1998, Section 14), is amended to read as

13 follows:

14 Section 14. The following definitions apply to the Oklahoma  
15 Truth in Sentencing Act:

16 1. "Commission" means the Oklahoma Sentencing Commission;

17 2. "Community punishment" or "community sentence" means a  
18 sentence pursuant to the Oklahoma Community ~~Corrections~~ Sentencing  
19 Act;

20 3. "Confinement" means an offender is sentenced to a placement  
21 where the offender is controlled, restrained, or confined to a  
22 certain location, for a definite period of time as may be authorized  
23 by law for the commission of the criminal offense;

1       4. "Drug crime matrix" means the sentencing matrix for all  
2 felony drug offenses as provided by the Oklahoma Statutes;

3       5. "Intoxicant crimes involving a vehicle matrix" means the  
4 sentencing matrix for all felony offenses relating to operating or  
5 being in actual physical control of a motor vehicle while under the  
6 influence of intoxicants or with impaired ability as provided by the  
7 Oklahoma Statutes;

8       6. "Life imprisonment" means imprisonment for a period of not  
9 less than eighteen (18) years nor more than sixty (60) years;

10      7. "Main matrix" means the sentencing matrix for all felonies  
11 except the drug crimes, sex crimes, and intoxicant crimes involving  
12 a vehicle, as provided by the Oklahoma Statutes;

13      8. "Offense enhancer" means the sentence enhancers based on the  
14 circumstances of the commission of the current offense of conviction  
15 provided for in Section ~~7~~ 17 of this ~~act~~ title;

16      9. "Prior record enhancer" means the sentence enhancers based  
17 on the prior criminal convictions of an offender provided for in  
18 Section ~~7~~ 17 of this ~~act~~ title;

19      10. "Prison" means a correctional facility contracted for,  
20 operated, or leased by the ~~Oklahoma~~ Department of Corrections;

21      11. "Range of confinement" means the range within which a  
22 sentencing court may impose a term of confinement as provided for by  
23 the applicable matrix;

1        12. "Range of punishment" means the possible punishment for the  
2 commission of a criminal offense. The range of punishment may  
3 include a term of confinement, a fine, a term of postimprisonment  
4 supervision, removal from office, and other conditions authorized by  
5 the Oklahoma Statutes;

6        13. "Schedule" means the classification of a ~~criminal~~ felony  
7 offense as provided in Section ~~6~~ 16 of this ~~act~~ title;

8        14. "Sentence" means the total obligation of the offender for  
9 the commission of a criminal offense as determined by the sentencing  
10 court, including any term of confinement in a prison or jail, any  
11 term of community punishment, any term of supervision, any fine, and  
12 any terms or conditions as authorized by Section 991a of Title 22 of  
13 the Oklahoma Statutes;

14        15. "Sentencing level" or "level" means the level of sentencing  
15 pursuant to the applicable matrix;

16        16. "Sentencing matrix" means one of the sentencing matrices  
17 established as provided in Section ~~3~~ 13 of this ~~act~~ title;

18        17. "Sex crimes matrix" means the sentencing matrix for all  
19 felony sex offenses provided for by the Oklahoma Statutes; and

20        18. "Postimprisonment supervision" means the period of  
21 supervision imposed by the court to follow the period of  
22 incarceration within the Department of Corrections.

23        SECTION 2. This act shall become effective July 1, 1999.

1           SECTION 3. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-24-99 - DO  
6 PASS, As Amended.