STATE OF OKLAHOMA

1st Extraordinary Session of the 47th Legislature (1999)

SENATE BILL 7x By: Taylor

AS INTRODUCED

An Act relating to criminal justice; amending Section 4, Chapter 133, O.S.L. 1997 (21 O.S. Supp. 1998, Section 14), which relates to the Oklahoma Truth in Sentencing Act; clarifying statutory references; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 4, Chapter 133, O.S.L. 1997 (21 O.S. Supp. 1998, Section 14), is amended to read as follows:

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

1. "Commission" means the Oklahoma Sentencing Commission;

2. "Community punishment" or "community sentence" means a sentence pursuant to the Oklahoma Community Corrections Act;

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

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

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

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

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

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

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

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

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

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

13. "Schedule" means the classification of a criminal offense as provided in Section 6 of this act;

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

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

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

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

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

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

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