

ENGROSSED HOUSE  
BILL NO. 1769

By: Nance of the House

and

Nichols of the Senate

An Act relating to prisons and reformatories;  
amending 57 O.S. 1991, Section 21, as last amended by  
Section 368, Chapter 5, 1st Extraordinary Session,  
O.S.L. 1999 (57 O.S. Supp. 2000, Section 21), which  
relates to contraband in penal institutions or jails;  
adding to list of items considered contraband;  
modifying penalty; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 21, as last  
amended by Section 368, Chapter 5, 1st Extraordinary Session, O.S.L.  
1999 (57 O.S. Supp. 2000, Section 21), is amended to read as  
follows:

Section 21. A. Any person who, without authority, brings into  
or has in his or her possession in any jail or state penal  
institution or other place where prisoners are located, any gun,  
knife, bomb or other dangerous instrument, any controlled dangerous  
substance as defined by Section 2-101 et seq. of Title 63 of the  
Oklahoma Statutes, any intoxicating beverage or low-point beer as  
defined by Sections 163.1 and 163.2 of Title 37 of the Oklahoma  
Statutes, ~~or~~ money, or financial documents for a person other than  
the inmate or a spouse of the inmate, including but not limited to  
tax returns, shall be guilty of a felony and is subject to  
imprisonment in the State Penitentiary for not less than ~~one (1)~~  
~~year~~ two (2) years or more than ~~five (5)~~ ten (10) years, or a fine  
of not less than One Hundred Dollars (\$100.00) or more than One  
Thousand Dollars (\$1,000.00), or both such fine and imprisonment.

B. If an inmate is found to be in possession of any such item, upon conviction, such inmate shall be guilty of a felony and shall be subject to imprisonment for not less than five (5) years nor more than twenty (20) years in the State Penitentiary.

C. If the person found to be in possession of any such item has, prior to the commission of said offense, committed two or more felony offenses, and said possession of contraband was within ten (10) years of the completion of the execution of the sentence, such person, upon conviction, shall be guilty of a felony and shall be punished by imprisonment in the State Penitentiary for a term of not less than twenty (20) years. Felony offenses relied upon shall not have arisen out of the same transaction or occurrence or series of events closely related in time and location.

SECTION 2. This act shall become effective November 1, 2001.

Passed the House of Representatives the 7th day of March, 2001.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2001.

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Presiding Officer of the Senate