

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1165

By: Perry

AS INTRODUCED

An Act relating to crimes and punishments; amending Section 4, Chapter 66, O.S.L. 1995 (21 O.S. Supp. 2000, Section 1040.13a), which relates to facilitating or soliciting sexual conduct with a minor by using a computer; modifying penalty; and providing an effective date.

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

SECTION 1. AMENDATORY Section 4, Chapter 66, O.S.L. 1995 (21 O.S. Supp. 2000, Section 1040.13a), is amended to read as follows:

Section 1040.13a A person is guilty of violating the provisions of this section if, for the purposes of facilitating, encouraging, offering or soliciting sexual conduct with any minor, the person knowingly transmits by means of computer, or prints, publishes or reproduces by other computerized means, or buys, sells, receives, exchanges, or disseminates, any notice, statement, or advertisement of any minor's name, telephone number, place of residence, physical characteristics or other descriptive or identifying information.

Any violation of the provisions of this section shall be a ~~misdemeanor~~ felony, punishable ~~by the imposition of a fine not to exceed One Thousand Dollars (\$1,000.00), or~~ by imprisonment in the ~~county jail~~ State Penitentiary for not to exceed less than one (1) year, or by both such fine and imprisonment nor more than twenty (20) years. Any person convicted of a second or subsequent violation of this section shall be guilty of a felony punishable by imprisonment in the State Penitentiary for not less than one (1) year nor more than twenty (20) years and shall not be eligible for

probation, a suspended or deferred sentence. Any person convicted of a third or subsequent violation of this section shall be guilty of a felony and shall be punished by imprisonment in the State Penitentiary for a term of life or life without parole, at the discretion of the jury. In the event the jury fails or refuses to fix punishment then the same shall be pronounced by the court.

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

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