

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1870

By: Morgan

AS INTRODUCED

An Act relating to crimes and punishments; amending Section 30, Chapter 4, 1st Extraordinary Session, O.S.L. 1999, as amended by Section 2, Chapter 291, O.S.L. 2000 (21 O.S. Supp. 2000, Section 13.1), which relates to required service of minimum percentage of sentence; adding crimes to list requiring minimum sentence; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 30, Chapter 4, 1st Extraordinary Session, O.S.L. 1999, as amended by Section 2, Chapter 291, O.S.L. 2000 (21 O.S. Supp. 2000, Section 13.1), is amended to read as follows:

Section 13.1 Persons convicted of first degree murder as defined in Section 701.9 of this title, robbery with a dangerous weapon as defined in Section 801 of this title, first degree rape as defined in Section 1115 of this title, first degree arson as defined in Section 1401 of this title, first degree burglary as defined in Section 1436 of this title, bombing as defined in Section 1767.1 of this title, any crime against a child provided for in Section 7115 of Title 10 of the Oklahoma Statutes, forcible sodomy as defined in Section 888 of this title, child pornography as defined in Section 1021.2 or 1021.3 of this title, child prostitution as defined in Section 1030 of this title, lewd molestation of a child as defined in Section 1123 of this title, assault, battery or assault and battery with a dangerous weapon as defined in Section 645 of this title, aggravated assault and battery on a police officer, sheriff,

or other law enforcement officer as defined by Section 650 of this title, poisoning with intent to kill as defined by Section 651 of this title, shooting with intent to kill and assault with intent to kill as defined by Sections 652 and 653 of this title, assault with intent to commit a felony as defined by Section 681 of this title, assault while masked or disguised as defined by Sections 1302 and 1303 of this title, second degree murder as defined by Section 701.8 of this title, first degree manslaughter as defined by Sections 711 and 713 of this title, second degree manslaughter as defined by Section 716 of this title, kidnapping as defined by Section 741 of this title, burglary with explosives as defined by Section 1441 of this title, kidnapping for extortion as defined by Section 745 of this title, maiming as defined by Section 751 of this title, robbery and first degree robbery as defined by Section 797 of this title, second degree robbery as defined by Section 797 of this title, robbery by two or more persons as defined by Section 800 of this title, second degree rape as defined by Sections 1111 and 1114 of this title, second degree rape by instrumentation as defined by Sections 1111.1 and 1114 of this title, use of a firearm to commit a felony as defined by Section 1287 of this title, pointing a firearm as defined by Section 1289.16 of this title, rioting as defined by Sections 1311 and 1312 of this title, inciting to riot as defined by Section 1320.2 of this title, injuring or burning public buildings as defined by Section 349 of this title, second degree arson as defined by Section 1402 of this title, advocate overthrow of government by force as defined by Section 1266 of this title, criminal syndicalism and sabotage as defined by Section 1263 of this title, extortion as defined by Section 1481 of this title, obtaining signature by extortion as defined by Section 1485 of this title, seizure of a bus as defined by Section 1903 of this title, mistreatment of a mental patient as defined by Section 2-219 of Title 43A of the Oklahoma Statutes, persons who have been previously

convicted of one of the crimes enumerated in this section, or
persons who have been previously convicted of two or more felonies
shall be required to serve not less than eighty-five percent (85%)
of any sentence of imprisonment imposed by the judicial system prior
to becoming eligible for consideration for parole. Persons
convicted of these offenses shall not be eligible for earned credits
or any other type of credits which have the effect of reducing the
length of the sentence to less than eighty-five percent (85%) of the
sentence imposed.

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

SECTION 3. 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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