

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2046

By: Wilt

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2001, Sections 646 and 647, which relate to aggravated assault and battery; expanding definition to include specified serious injuries; modifying punishment for aggravated assault and battery; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 646, is amended to read as follows:

Section 646. A. An assault and battery becomes aggravated when committed under any of the following circumstances:

~~(1)~~ 1. When great bodily injury is inflicted upon the person assaulted; or

~~(2)~~ 2. When committed by a person of robust health or strength upon one who is aged, decrepit, or incapacitated, as defined in Section ~~3~~ 641 of this ~~act~~ title.

B. For purposes of this section "great bodily injury" means unconsciousness, bone fracture, extreme physical pain, protracted and obvious disfigurement, protracted loss or impairment of the function of a body part, organ or mental faculty, or substantial risk of death.

SECTION 2. AMENDATORY 21 O.S. 2001, Section 647, is amended to read as follows:

Section 647. Aggravated assault and battery shall be punished by imprisonment in the State Penitentiary not exceeding ten (10) years, or by imprisonment in a county jail not exceeding one (1)

year, or by a fine of not more than ~~Five Hundred Dollars (\$500.00)~~
One Thousand Dollars (\$1,000.00), or by both such fine and
imprisonment.

SECTION 3. This act shall become effective November 1, 2002.

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