

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 148

By: Helton

AS INTRODUCED

An Act relating to crimes and punishments; amending Section 2, Chapter 145, O.S.L. 1996, as last amended by Section 244, Chapter 5, 1st Extraordinary Session, O.S.L. 1999 (21 O.S. Supp. 2000, Section 1405), which relates to endangering human life during commission of arson; clarifying language; adding new crime for arson during attempt or commission of a misdemeanor or felony offense; setting penalties; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 2, Chapter 145, O.S.L. 1996, as last amended by Section 244, Chapter 5, 1st Extraordinary Session, O.S.L. 1999 (21 O.S. Supp. 2000, Section 1405), is amended to read as follows:

Section 1405. Any person violating any of the provisions of Sections 1401, 1402, 1403 or 1404 of this title who during such violation endangers any human life, including ~~all~~ any emergency service personnel, shall be guilty of a felony ~~and upon~~. Upon conviction the violator shall be punished by imprisonment in the State Penitentiary for a term of not less than three (3) years nor more than ten (10) years, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. If personal injury results, the person violator shall be punished by imprisonment in the State Penitentiary for not less than a term in the range of seven (7) years to twenty (20) years.

B. Any person who, during the commission of, or attempted commission of, any misdemeanor or felony offense sets a fire or causes a fire or explosion that burns or damages any structure,

building, vessel, tent, vehicle, mobile home, trailer, grasslands, field, forest, crops or woodlands and endangers any human life, including any emergency service personnel, shall be guilty of a felony. Upon conviction, the violator shall be punished by imprisonment in the State Penitentiary for a term of not less than two (2) years nor more than five (5) years, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. If personal injury results, the violator shall be punished by imprisonment in the State Penitentiary for a term in the range of seven (7) years to twenty (20) years.

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.

48-1-834

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