

ENGROSSED HOUSE  
BILL NO. 1531

By: DePue, McMullen, Nance and  
Calvey of the House

and

Ford of the Senate

An Act relating to crimes and punishments; amending  
21 O.S. 2001, Section 1401, which relates to arson;  
clarifying actions that constitute arson; providing  
penalties; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 1401, is  
amended to read as follows:

Section 1401. A. Any person who willfully and maliciously sets  
fire to or burns, or by the use of any explosive device, accelerant,  
ignition device, heat-producing device or substance ~~or while~~  
~~manufacturing or attempting to manufacture a controlled dangerous~~  
~~substance in violation of subsection C of Section 2-401 of Title 63~~  
~~of the Oklahoma Statutes~~, destroys in whole or in part, or causes to  
be burned or destroyed, or aids, counsels or procures the burning or  
destruction of any building or structure or contents thereof,  
inhabited or occupied by one or more persons, whether the property  
of that person or another, or who willfully and maliciously sets  
fire to or burns, or by the use of any explosive device, accelerant,  
ignition device, heat-producing device or substance ~~or while~~  
~~manufacturing or attempting to manufacture a controlled dangerous~~  
~~substance in violation of subsection C of Section 2-401 of Title 63~~  
~~of the Oklahoma Statutes~~, causes a person to be burned, or aids,  
counsels or procures the burning of a person, shall be guilty of  
arson in the first degree, which is a felony, and upon conviction

thereof shall be punished by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00) or be confined to the State Penitentiary for not more than thirty-five (35) years or both.

B. Any person who sets fire to or burns, while manufacturing or attempting to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes, destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any building or structure or contents thereof, inhabited or occupied by one or more persons, whether the property of that person or another, or who sets fire to or burns, while manufacturing or attempting to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes, causes a person to be burned, or aids, counsels or procures the burning of a person, shall be guilty of arson in the first degree, which is a felony, and upon conviction thereof shall be punished by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00) or be confined in the State Penitentiary for not more than thirty-five (35) years or both.

SECTION 2. This act shall become effective November 1, 2005.

Passed the House of Representatives the 28th day of February, 2005.

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Presiding Officer of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2005.

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Presiding Officer of the Senate