

and

Ford of the Senate

An Act relating to prisons and reformatories;
amending 57 O.S. 2001, Section 571, which relates to
definitions; modifying and updating certain
definitions; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 2001, Section 571, is
amended to read as follows:

Section 571. As used in the Oklahoma Statutes, unless another
definition is specified:

1. "Capacity" means the actual available bedspace as certified
by the State Board of Corrections subject to applicable federal and
state laws and the rules and regulations promulgated under such
laws;

2. "Nonviolent offense" means any felony offense except the
following, or any attempts to commit or conspiracy or solicitation
to commit the following crimes:

- a. assault, battery, or assault and battery with a
dangerous or deadly weapon;
- b. aggravated assault and battery on a police officer,
sheriff, highway patrolman, or any other officer of
the law;
- c. poisoning with intent to kill;
- d. shooting with intent to kill;
- e. assault with intent to kill;
- f. assault with intent to commit a felony;
- g. assaults while masked or disguised;

- h. murder in the first degree;
- i. murder in the second degree;
- j. manslaughter in the first degree;
- k. manslaughter in the second degree;
- l. kidnapping;
- m. burglary in the first degree;
- n. burglary with explosives;
- o. kidnapping for extortion;
- p. maiming;
- q. robbery;
- r. robbery in the first degree;
- s. robbery in the second degree;
- t. armed robbery;
- u. robbery by two (2) or more persons;
- v. robbery with dangerous weapon or imitation firearm;
- w. child ~~beating~~ abuse;
- x. wiring any equipment, vehicle or structure with explosives;
- y. forcible sodomy;
- z. rape in the first degree;
- aa. rape in the second degree;
- bb. rape by instrumentation;
- cc. lewd or indecent proposition or lewd or indecent act with a child;
- dd. use of a firearm or offensive weapon to commit or attempt to commit a felony;
- ee. pointing firearms;
- ff. rioting;
- gg. inciting to riot;
- hh. arson in the first degree;
- ii. injuring or burning public buildings;
- jj. sabotage;

- kk. criminal syndicalism;
- ll. extortion;
- mm. obtaining signature by extortion;
- nn. seizure of a bus, discharging firearm or hurling
missile at bus; or
- oo. mistreatment of a mental patient.

SECTION 2. This act shall become effective November 1, 2006.

Passed the House of Representatives the 6th day of March, 2006.

Presiding Officer of the House of
Representatives

Passed the Senate the ____ day of _____, 2006.

Presiding Officer of the Senate