SB 777

THE STATE SENATE
Thursday, February 10, 2005

Senate Bill No. 777

As Amended

SENATE BILL NO. 777 - By: BARRINGTON, CRUTCHFIELD, EASLEY, GUMM and LEFTWICH of the Senate and COODY of the House.

An Act relating to soldiers and sailors; prohibiting certain persons from wearing certain decorations or medals; providing penalties; setting fines; prohibiting certain persons from presenting certain documents for certain purposes; prohibiting certain persons from wearing certain uniforms; prohibiting certain persons from manufacturing, reproducing or selling certain merchandise; defining term; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-1 of Title 72, unless there is created a duplication in numbering, reads as follows:

A. Any person who knowingly wears any decoration or medal authorized by the Congress of the United States for the Armed Forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration or medal, or any colorable imitation thereof, except when authorized under regulations as authorized by the applicable federal law, shall be guilty of a misdemeanor and shall be fined One Hundred Dollars ($100.00) or be imprisoned in the county jail for a period of not more than six (6) months or both.

(Bold face denotes Committee Amendments)

B. If a decoration or medal involved in an offense under subsection A of this section is a Congressional Medal of Honor, the offender shall upon conviction be guilty of a felony and fined an amount not to exceed Five Hundred Dollars ($500.00) or be imprisoned in the county jail for a period **of not more than two (2) years**, or both.

C. If a person presents any falsified or altered document as proof of service or authorization for decoration or medal such person shall be guilty of a **felony** and fined an amount not **to** exceed **One Thousand Dollars ($1,000.00)** or be imprisoned in the county jail for a period of not more than **two (2) years**.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-2 of Title 72, unless there is created a duplication in numbering, reads as follows:

Whoever, in any place within the jurisdiction of the State of Oklahoma, without authority as defined in the United States Code, wears the uniform or any distinctive part thereof or anything similar to a distinctive part of the uniform of any of the Armed Forces of the United States, Public Health Service or any auxiliary of such, shall be guilty of a felony and fined an amount not to exceed Five Hundred Dollars ($500.00) or be imprisoned in the county jail for a period **of not more than (2) years** or both.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-3 of Title 72, unless there is created a duplication in numbering, reads as follows:

A. Whoever knowingly manufactures, reproduces, sells or purchases for resale, either separately or on or appended to, any article of merchandise manufactured or sold, any badge, medal, emblem, or other insignia or any colorable imitation thereof, of any veterans' organization incorporated by enactment of the Congress of the United States, or of any organization formally recognized by any such veterans' organization as an auxiliary of such veterans' organization, or knowingly prints, lithographs, engraves or otherwise reproduces on any poster, circular, periodical, magazine, newspaper, or other publication, or circulates or distributes any such printed matter bearing a reproduction of such badge, medal, emblem, or other insignia or any colorable imitation thereof, except when authorized under rules and regulations prescribed by any such organization, shall be guilty of a misdemeanor and fined an amount not to exceed Five Hundred Dollars ($500.00) or be imprisoned in the county jail for a period of not more than one year or both.

B. As used in subsection A of this section, "sells" includes trades, barters, or exchanges anything of value.

SECTION 4. This act shall become effective November 1, 2005.

COMMITTEE REPORT BY: COMMITTEE ON VETERANS & MILITARY AFFAIRS, dated 2-7-05 - DO PASS, As Amended and Coauthored.