

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1531

By: DePue

AS INTRODUCED

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.

50-1-6464 GRS 01/19/05