

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 447

By: Laster

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 711, which relates to manslaughter in the first degree; expanding crime to include death by operation of a motor vehicle under certain circumstance; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 711, is amended to read as follows:

Section 711. Homicide is manslaughter in the first degree in the following cases:

1. When perpetrated without a design to effect death by a person while engaged in the commission of a misdemeanor.

2. When perpetrated without a design to effect death, and in a heat of passion, but in a cruel and unusual manner, or by means of a dangerous weapon; unless it is committed under such circumstances as constitute excusable or justifiable homicide.

3. When perpetrated unnecessarily either while resisting an attempt by the person killed to commit a crime, or after such attempt shall have failed.

4. When perpetrated without design to effect death by a person who is operating a motor vehicle under the influence of, or while impaired by, alcohol or drugs.

SECTION 2. 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.

50-1-1050

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