

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 585

By: Corn

AS INTRODUCED

An Act relating to the Oklahoma Antiterrorism Act; amending Section 2, Chapter 477, O.S.L. 2002 (21 O.S. Supp. 2004, Section 1268.1), which relates to definitions; adding a definition; amending Section 5, Chapter 477, O.S.L. 2002 (21 O.S. Supp. 2004, Section 1268.4), which relates to penalties; specifying penalty; providing an effective date.

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

SECTION 1. AMENDATORY Section 2, Chapter 477, O.S.L. 2002 (21 O.S. Supp. 2004, Section 1268.1), is amended to read as follows:

Section 1268.1 As used in this act:

1. "Biochemical terrorism" means an act of terrorism involving any biological organism, pathogen, bacterium, virus, chemical or its toxins, isomers, salts or compounds, or any combination of organisms, viruses or chemicals that is capable of and intended to cause death, disease, injury, illness or harm to any human or animal upon contact or ingestion, or harm to any food supply, plant, water supply, drink, medicine or other product used for or consumed by humans or animals;

2. "Terrorism" means an act of violence resulting in damage to property or personal injury perpetrated to coerce a civilian population or government into granting illegal political or economic demands; or conduct intended to incite violence in order to create apprehension of bodily injury or damage to property in order to coerce a civilian population or government into granting illegal

political or economic demands. Peaceful picketing or boycotts and other nonviolent action shall not be considered terrorism;

3. "Terrorism hoax" means the willful conduct to simulate an act of terrorism as a joke, hoax, prank or trick against a place, population, business, agency or government by:

- a. the intentional use of any substance to cause fear, intimidation or anxiety and a reasonable belief by any victim that such substance is used, placed, sent, delivered or otherwise employed as an act of biochemical terrorism requiring an emergency response or the evacuation or quarantine of any person, place or article, or
- b. any act or threat of violence, sabotage, damage or harm against a population, place or infrastructure that causes fear, intimidation or anxiety and a reasonable belief by any victim that such act or threat is an act of terrorism to disrupt any place, population, business, agency or government;

4. "False terrorism threat" means the willful communication in any manner that conveys the threat of an act of terrorism as a joke, prank or trick against a place, population, business, agency or government that causes fear, intimidation or anxiety and a reasonable belief by any victim that such act or threat is an act of terrorism to disrupt any place, population, business, agency or government;

5. "Biochemical assault" means the intentional delivery of any substance or material to another person without lawful cause, whether or not such substance or material is toxic, noxious or lethal to humans, to:

- a. cause intimidation, fear or anxiety and a reasonable belief by the victim that death, disease, injury or illness will occur as a result of contamination by

such substance or material and, based upon that belief, an emergency response is necessary, or

- b. poison, injure, harm or cause disease or illness to any person; and

~~5.~~ 6. "Terrorist activity" means to plan, aid or abet an act of terrorism or aid or abet any person who plans or commits an act of terrorism.

SECTION 2. AMENDATORY Section 5, Chapter 477, O.S.L. 2002 (21 O.S. Supp. 2004, Section 1268.4), is amended to read as follows:

Section 1268.4 A. Terrorism hoax or false terrorism threat is a felony.

B. A person convicted of terrorism hoax or false terrorism threat shall be punished by imprisonment in the State Penitentiary for a term of not more than ten (10) years. In addition to any punishment imposed for the act of terrorism hoax or false terrorism threat, the person shall be ordered to make restitution to the victim and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act.

SECTION 3. This act shall become effective November 1, 2005.

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