

1 ENGROSSED HOUSE
2 BILL NO. 2957

By: Tibbs, Kiesel, McCarter,
Roan and Braddock of the
House

3
4 and

Lerblance of the Senate

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8 An Act relating to parole; amending 57 O.S. 2001,
9 Section 332.16, which relates to time limitations for
10 acting on paroles; clarifying time limitations;
11 deeming parole recommendation granted if action not
12 taken within certain time period; providing an
13 exception; requiring review and parole recommendation
14 for certain crimes; and providing an effective date.

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

16 SECTION 1. AMENDATORY 57 O.S. 2001, Section 332.16, is
17 amended to read as follows:

18 Section 332.16 A. No recommendation to the Governor for parole
19 shall remain under consideration and in the possession of that
20 office for a time longer than thirty (30) consecutive calendar days.
21 Except as provided for in subsection B of this section, if upon
22 expiration of the thirty-day time period, no action is taken by the
23 Governor to grant or deny parole, the recommendation for parole
24 shall be deemed granted.

1 B. The Governor shall be required to review each parole
2 recommendation and shall grant or deny parole for persons convicted
3 of the following crimes:

4 1. Assault, battery, or assault and battery with a dangerous or
5 deadly weapon as provided in Sections 645 and 652 of Title 21 of the
6 Oklahoma Statutes;

7 2. Aggravated assault and battery on a police officer, sheriff,
8 highway patrolman, or any other officer of the law as provided in
9 Sections 650, 650.2, 650.5, 650.6 and 650.7 of Title 21 of the
10 Oklahoma Statutes;

11 3. Poisoning with intent to kill as provided in Section 651 of
12 Title 21 of the Oklahoma Statutes;

13 4. Shooting with intent to kill as provided in Section 652 of
14 Title 21 of the Oklahoma Statutes;

15 5. Assault with intent to kill as provided in Section 653 of
16 Title 21 of the Oklahoma Statutes;

17 6. Assault with intent to commit a felony as provided in
18 Section 681 of Title 21 of the Oklahoma Statutes;

19 7. Assaults while masked or disguised as provided in Section
20 1303 of Title 21 of the Oklahoma Statutes;

21 8. Murder in the first degree as provided in Section 701.7 of
22 Title 21 of the Oklahoma Statutes;

23 9. Murder in the second degree as provided in Section 701.8 of
24 Title 21 of the Oklahoma Statutes;

1 10. Manslaughter in the first degree as provided in Sections
2 711, 712 and 714 of Title 21 of the Oklahoma Statutes;

3 11. Manslaughter in the second degree as provided in Sections
4 716 and 717 of Title 21 of the Oklahoma Statutes;

5 12. Kidnapping as provided in Section 741 of Title 21 of the
6 Oklahoma Statutes;

7 13. Burglary in the first degree as provided in Section 1431 of
8 Title 21 of the Oklahoma Statutes;

9 14. Burglary with explosives as provided in Section 1441 of
10 Title 21 of the Oklahoma Statutes;

11 15. Kidnapping for extortion as provided in Section 745 of
12 Title 21 of the Oklahoma Statutes;

13 16. Maiming as provided in Section 751 of Title 21 of the
14 Oklahoma Statutes;

15 17. Robbery as provided in Section 791 of Title 21 of the
16 Oklahoma Statutes;

17 18. Robbery in the first degree as provided in Section 797 of
18 Title 21 of the Oklahoma Statutes;

19 19. Robbery in the second degree as provided in Section 797 of
20 Title 21 of the Oklahoma Statutes;

21 20. Robbery by two or more persons as provided in Section 800
22 of Title 21 of the Oklahoma Statutes;

23 21. Robbery with dangerous weapon or imitation firearm as
24 provided in Section 801 of Title 21 of the Oklahoma Statutes;

1 22. Child abuse as provided in Section 7115 of Title 10 of the
2 Oklahoma Statutes;

3 23. Wiring any equipment, vehicle or structure with explosives
4 as provided in Section 849 of Title 21 of the Oklahoma Statutes;

5 24. Forcible sodomy as provided in Section 888 of Title 21 of
6 the Oklahoma Statutes;

7 25. Rape in the first degree as provided in Sections 1111 and
8 1114 of Title 21 of the Oklahoma Statutes;

9 26. Rape in the second degree as provided in Sections 1111 and
10 1114 of Title 21 of the Oklahoma Statutes;

11 27. Rape by instrumentation as provided in Section 1111.1 of
12 Title 21 of the Oklahoma Statutes;

13 28. Lewd or indecent proposition or lewd or indecent act with a
14 child as provided in Section 1123 of Title 21 of the Oklahoma
15 Statutes;

16 29. Use of a firearm or offensive weapon to commit or attempt
17 to commit a felony as provided in Section 1287 of Title 21 of the
18 Oklahoma Statutes;

19 30. Pointing firearms as provided in Section 1289.16 of Title
20 21 of the Oklahoma Statutes;

21 31. Rioting as provided in Sections 1311 and 1321.8 of Title 21
22 of the Oklahoma Statutes;

23 32. Inciting to riot as provided in Section 1320.2 of Title 21
24 of the Oklahoma Statutes;

- 1 33. Arson in the first degree as provided in Section 1401 of
2 Title 21 of the Oklahoma Statutes;
- 3 34. Injuring or burning public buildings as provided in Section
4 349 of Title 21 of the Oklahoma Statutes;
- 5 35. Sabotage as provided in Sections 1262, 1265.4 and 1265.5 of
6 Title 21 of the Oklahoma Statutes;
- 7 36. Criminal syndicalism as provided in Section 1261 of Title
8 21 of the Oklahoma Statutes;
- 9 37. Extortion as provided in Sections 1481 and 1486 of Title 21
10 of the Oklahoma Statutes;
- 11 38. Obtaining signature by extortion as provided in Section
12 1485 of Title 21 of the Oklahoma Statutes;
- 13 39. Seizure of a bus, discharging firearm or hurling missile at
14 bus as provided in Section 1903 of Title 21 of the Oklahoma
15 Statutes;
- 16 40. Mistreatment of a mental patient as provided in Section
17 843.1 of Title 21 of the Oklahoma Statutes;
- 18 41. Using a vehicle to facilitate the discharge of a weapon as
19 provided in Section 652 of Title 21 of the Oklahoma Statutes; or
- 20 42. Aggravated drug trafficking as provided in Section 2-415 of
21 Title 63 of the Oklahoma Statutes.
- 22 C. When the Pardon and Parole Board makes a recommendation for
23 a compassionate parole pursuant to subsection B of Section 332.18 of
24 this title, the Board shall forward all relevant documentation to

