

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 3223

By: Jett

4  
5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 Section 3, Chapter 112, O.S.L. 2007 (21 O.S. Supp.  
9 2007, Section 446), which relates to the unlawful  
10 transportation of illegal aliens; providing an  
11 exemption for certain entities; and declaring an  
12 emergency.

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

14 SECTION 1. AMENDATORY Section 3, Chapter 112, O.S.L.  
15 2007 (21 O.S. Supp. 2007, Section 446), is amended to read as  
16 follows:

17 Section 446. A. It shall be unlawful for any person to  
18 transport, move, or attempt to transport in the State of Oklahoma  
19 any alien knowing or in reckless disregard of the fact that the  
20 alien has come to, entered, or remained in the United States in  
21 violation of law, in furtherance of the illegal presence of the  
22 alien in the United States.

23 B. It shall be unlawful for any person to conceal, harbor, or  
24 shelter from detection any alien in any place within the State of

1 Oklahoma, including any building or means of transportation, knowing  
2 or in reckless disregard of the fact that the alien has come to,  
3 entered, or remained in the United States in violation of law.

4 C. ~~Nothing~~ The provisions of this section shall not apply to  
5 any church group or nonprofit charitable organization. Furthermore,  
6 nothing in this section shall be construed so as to prohibit or  
7 restrict the provision of any state or local public benefit  
8 described in 8 U.S.C., Section 1621(b), or regulated public health  
9 services provided by a private charity using private funds.

10 D. Any person violating the provisions of subsections A or B of  
11 this section shall, upon conviction, be guilty of a felony  
12 punishable by imprisonment in the custody of the Department of  
13 Corrections for not less than one (1) year, or by a fine of not less  
14 than One Thousand Dollars (\$1,000.00), or by both such fine and  
15 imprisonment.

16 SECTION 2. It being immediately necessary for the preservation  
17 of the public peace, health and safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

20

21 51-2-9401 GRS 01/02/08

22

23

24