

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1495

By: Reynolds

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; creating
8 Jenny's Law; providing short title; prohibiting
9 desecration of a human corpse for certain purposes;
10 enumerating prohibited purposes; stating penalty;
11 authorizing prosecution in addition to other laws;
12 defining term; providing for codification; providing
13 for noncodification; providing an effective date; and
14 declaring an emergency.

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

16 SECTION 1. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 This act shall be known and may be cited as "Jenny's Law".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1161.1 of Title 21, unless there
21 is created a duplication in numbering, reads as follows:

22 A. It is unlawful for any person to knowingly and willfully
23 desecrate a human corpse for any purpose of:

- 24 1. Tampering with the evidence of a crime;
2. Camouflaging the death of human being;
3. Disposing of a dead body;

1 4. Impeding or prohibiting the detection, investigation or
2 prosecution of a crime;

3 5. Altering, inhibiting or concealing the identification of a
4 dead body, a crime victim, or a criminal offender; or

5 6. Disrupting, prohibiting or interfering with any law
6 enforcement agency or the Office of the State Medical Examiner in
7 detecting, investigating, examining, determining, identifying or
8 processing a dead body, cause of death, the scene where a dead body
9 is found, or any forensic examination or investigation relating to a
10 dead body or a crime.

11 B. Upon conviction, the violator of any provision of this
12 section shall be guilty of a felony punishable by imprisonment in
13 the custody of the Department of Corrections for a term not more
14 than seven (7) years, by a fine not exceeding Eight Thousand Dollars
15 (\$8,000.00), or by both such fine and imprisonment.

16 C. This offense may be prosecuted in addition to any
17 prosecution pursuant to Section 1161 of Title 21 of the Oklahoma
18 Statutes for removal of a dead body or any other criminal offense.

19 D. For purposes of this section, "desecration of a human
20 corpse" means any act committed after the death of a human being
21 including, but not limited to, dismemberment, disfigurement,
22 mutilation, burning, or any act committed to cause the dead body to
23 be devoured, scattered or dissipated; except, those procedures
24 performed by a state agency or licensed authority in due course of

1 its duties and responsibilities for forensic examination, gathering
2 or removing crime scene evidence, presentation or preservation of
3 evidence, dead body identification, cause of death, autopsy,
4 cremation or burial, organ donation, use of a cadaver for medical
5 educational purposes, or other necessary procedures to identify,
6 remove or dispose of a dead body by the proper authority.

7 SECTION 3. This act shall become effective November 1, 2008.

8 SECTION 4. It being immediately necessary for the preservation
9 of the public peace, health and safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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