

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 1579

By: Joyner and Smithson of the
House

6 and

7 Barrington of the Senate

8
9 COMMITTEE SUBSTITUTE

10 [crimes and punishments - fortifying door to delay
11 law enforcement - penalty - codification - effective
12 date]

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 540C of Title 21, unless there
18 is created a duplication in numbering, reads as follows:

19 A. It shall be unlawful for any person to willfully fortify an
20 access point into any dwelling, structure, building or other place
21 where a felony offense prohibited by the Uniform Controlled
22 Dangerous Substances Act is being committed, or attempted, and the
23 fortification is for the purpose of preventing or delaying entry or
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1 access by a law enforcement officer, or to harm or injure a law
2 enforcement officer in the performance of official duties.

3 B. For purposes of this section, "fortify an access point"
4 means to willfully construct, install, position, use or hold any
5 material or device designed to injure a person upon entry or to
6 strengthen, defend, restrict or obstruct any door, window or other
7 opening into a dwelling, structure, building or other place to any
8 extent beyond the security provided by a commercial alarm system,
9 lock or deadbolt, or a combination of alarm, lock or deadbolt.

10 C. Any person violating the provisions of this section shall,
11 upon conviction, be guilty of a felony punishable by imprisonment in
12 the custody of the Department of Corrections for a term of not more
13 than five (5) years, or by a fine in an amount not exceeding Ten
14 Thousand Dollars (\$10,000.00), or by both such fine and
15 imprisonment.

16 SECTION 2. This act shall become effective November 1, 2009.

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