

1 ENGROSSED SENATE
2 BILL NO. 2242

By: Newberry of the Senate

3 and

4 Faught of the House

5
6
7 [crimes and punishments - assault upon an office of
8 juvenile affairs employee - modifying penalty -
9 effective date]

10

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

12 SECTION 1. AMENDATORY 21 O.S. 2001, Section 650.2, as
13 amended by Section 2, Chapter 121, O.S.L. 2008 (21 O.S. Supp. 2009,
14 Section 650.2), is amended to read as follows:

15 Section 650.2 A. Every person in the custody of the Oklahoma
16 Department of Corrections who, without justifiable or excusable
17 cause, knowingly commits any assault, battery or assault and battery
18 upon the person of a Department of Corrections employee while ~~said~~
19 the employee is in the performance of his or her duties shall, upon
20 conviction thereof, be guilty of a felony.

21 B. Every person incarcerated in an institution operated by a
22 private prison contractor, pursuant to Section 561, 563.1 or 563.2
23 of Title 57 of the Oklahoma Statutes, who, without justifiable or
24 excusable cause, knowingly commits any assault, battery or assault

1 and battery upon the person of an employee of the contractor while
2 ~~said~~ the employee is in the performance of duties shall, upon
3 conviction thereof, be guilty of a felony.

4 C. Every person in the custody of the Department of Human
5 Services who, without justifiable or excusable cause, knowingly
6 commits any aggravated assault and battery upon the person of a
7 Department of Human Services employee, or a person contracting with
8 the Department to provide services, while the employee or contractor
9 is in the performance of his or her duties shall, upon conviction
10 thereof, be guilty of a felony.

11 D. Every person in the custody of the Office of Juvenile
12 Affairs who, without justifiable or excusable cause, knowingly
13 commits any assault, battery or assault and battery upon the person
14 of an Office of Juvenile Affairs employee while ~~said~~ the employee is
15 in the performance of his or her duties shall, upon conviction
16 thereof, be guilty of a felony.

17 E. Every person in the custody of the Office of Juvenile
18 Affairs who, without justifiable or excusable cause, knowingly
19 commits any battery or assault and battery resulting in bodily
20 injury to any employee of the Office of Juvenile Affairs or employee
21 of any residential facility while ~~said~~ the employee is in the
22 performance of duties of employment shall, upon conviction thereof,
23 be guilty of a felony. The ~~fine~~ penalty for a violation of this
24 subsection shall ~~not~~ be a fine not less than Five Hundred Dollars

1 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), which may
2 be imposed ~~whether or not a period of incarceration is imposed in~~
3 addition to any other penalty imposed pursuant to this section and
4 shall include a minimum of six (6) months of incarceration at a
5 facility to be determined by the court.

6 SECTION 2. This act shall become effective November 1, 2010.

7 Passed the Senate the 3rd day of March, 2010.

8

9

Presiding Officer of the Senate

10

11 Passed the House of Representatives the ____ day of _____,

12 2010.

13

14

Presiding Officer of the House
of Representatives

15

16

17

18

19

20

21

22

23

24