

1 ENGROSSED SENATE  
2 BILL NO. 530

By: Ellis of the Senate

3 and

4 Thomsen of the House

5  
6  
7 [ crimes and punishments - mandatory minimum

8 sentencing -

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 13.1, as  
13 last amended by Section 1, Chapter 199, O.S.L. 2007 (21 O.S. Supp.  
14 2008, Section 13.1), is amended to read as follows:

15 Section 13.1 Persons convicted of:

16 1. First degree murder as defined in Section 701.7 of this  
17 title;

18 2. Second degree murder as defined by Section 701.8 of this  
19 title;

20 3. Manslaughter in the first degree as defined by Section 711  
21 of this title;

22 4. Poisoning with intent to kill as defined by Section 651 of  
23 this title;

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- 1        5. Shooting with intent to kill, use of a vehicle to facilitate  
2 use of a firearm, crossbow or other weapon, assault, battery, or  
3 assault and battery with a deadly weapon or by other means likely to  
4 produce death or great bodily harm, as provided for in Section 652  
5 of this title;
- 6        6. Assault with intent to kill as provided for in Section 653  
7 of this title;
- 8        7. Conjoint robbery as defined by Section 800 of this title;
- 9        8. Robbery with a dangerous weapon as defined in Section 801 of  
10 this title;
- 11       9. First degree robbery as defined in Section 797 of this  
12 title;
- 13       10. First degree rape as provided for in Section 1115 of this  
14 title;
- 15       11. First degree arson as defined in Section 1401 of this  
16 title;
- 17       12. First degree burglary as provided for in Section 1436 of  
18 this title;
- 19       13. Bombing as defined in Section 1767.1 of this title;
- 20       14. Any crime against a child provided for in Section 7115 of  
21 Title 10 of the Oklahoma Statutes;
- 22       15. Forcible sodomy as defined in Section 888 of this title;
- 23       16. Child pornography as defined in Section 1021.2, 1021.3 or  
24 1024.1 of this title;

1 17. Child prostitution as defined in Section 1030 of this  
2 title;

3 18. Lewd molestation of a child as defined in Section 1123 of  
4 this title;

5 19. Abuse of a vulnerable adult as defined in Section 10-103 of  
6 Title 43A of the Oklahoma Statutes who is a resident of a nursing  
7 facility; ~~or~~

8 20. Aggravated trafficking as provided for in subsection C of  
9 Section 2-415 of Title 63 of the Oklahoma Statutes; or

10 21. Assault and battery upon a peace officer as provided in  
11 Section 649 of this title, unless the person convicted has a mental  
12 illness as defined by Section 1-103 of Title 43A of the Oklahoma  
13 Statutes,

14 shall be required to serve not less than eighty-five percent (85%)  
15 of any sentence of imprisonment imposed by the judicial system prior  
16 to becoming eligible for consideration for parole. Persons  
17 convicted of these offenses shall not be eligible for earned credits  
18 or any other type of credits which have the effect of reducing the  
19 length of the sentence to less than eighty-five percent (85%) of the  
20 sentence imposed.

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

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