

ESB 2242

THE HOUSE OF REPRESENTATIVES  
Wednesday, March 31, 2010

ENGROSSED  
Senate Bill No. 2242  
As Amended

ENGROSSED SENATE BILL NO. 2242 - By: NEWBERRY of the Senate and FAUGHT of the House.

[ crimes and punishments - assault upon an office of juvenile affairs employee  
- modifying penalty - effective date ]

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

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

4 Section 650.2 A. Every person in the custody of the Oklahoma Department of  
5 Corrections who, without justifiable or excusable cause, knowingly commits any assault,  
6 battery or assault and battery upon the person of a Department of Corrections employee  
7 while ~~said~~ the employee is in the performance of his or her duties shall, upon conviction  
8 thereof, be guilty of a felony.

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

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

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

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

14 E. Every person in the custody of the Office of Juvenile Affairs who, without  
15 justifiable or excusable cause, knowingly commits any battery or assault and battery  
16 resulting in bodily injury to any employee of the Office of Juvenile Affairs or employee of  
17 any residential facility while ~~said~~ the employee is in the performance of duties of  
18 employment shall, upon conviction thereof, be guilty of a felony. The ~~fine~~ penalty for a  
19 violation of this subsection shall ~~not~~ be a fine not less than Five Hundred Dollars  
20 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), which may be imposed  
21 ~~whether or not a period of incarceration is imposed~~ in addition to any other penalty

1 imposed pursuant to this section and shall include a minimum of six (6) months of  
2 incarceration at a facility to be determined by the court.

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

4 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 03-30-10 - DO PASS,  
5 As Amended.