

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1099

By: Nichols

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments;
8 prohibiting harassing communications by Internet;
9 proscribing certain conduct against certain persons;
10 setting penalty; defining term; exempting use of
11 Internet for certain purpose; construing effect of
12 certain provisions; prohibiting use of Internet as a
13 condition of probation; providing for codification;
14 providing an effective date; and declaring an
15 emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1172.1 of Title 21, unless there
19 is created a duplication in numbering, reads as follows:

20 Any person who threatens, intimidates or harasses a person
21 sixty-five (65) years of age or older or any person eighteen (18)
22 years or younger by use of the Internet and as a result of such
23 prohibited conduct causes the victim to suffer physical harm shall
24 be guilty of a felony, upon conviction, punishable by imprisonment
in the custody of the Department of Corrections for a term of not
more than five (5) years, or by a fine in an amount not exceeding

1 Two Hundred Fifty Thousand Dollars (\$250,000.00), or by both such
2 fine and imprisonment.

3 For purposes of this section, "physical harm" means the acute
4 onset of a life endangering condition or death that was precipitated
5 by the threatening, intimidating or harassing conduct.

6 The provisions of this section shall not apply when the Internet
7 is used to compel the person to satisfy any legal obligation
8 including, but not limited to, financial debt. This section shall
9 not be construed to restrict the application of or substitution of
10 any other provision of law.

11 If the court defers judgment or imposes a suspended sentence for
12 a violation of any provision of this section, the defendant shall be
13 prohibited from directly or indirectly using the Internet as a
14 condition of probation.

15 SECTION 2. This act shall become effective July 1, 2009.

16 SECTION 3. It being immediately necessary for the preservation
17 of the public peace, health and safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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