

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1842

By: Nichols

4  
5 AS INTRODUCED

6 An Act relating to crimes and punishments; amending  
7 21 O.S. 2001, Section 175, as amended by Section 2,  
8 Chapter 275, O.S.L. 2004 (21 O.S. Supp. 2009, Section  
9 175), which relates to punishment of accessories;  
10 clarifying person to whom punishment applicable; and  
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2001, Section 175, as  
14 amended by Section 2, Chapter 275, O.S.L. 2004 (21 O.S. Supp. 2009,  
15 Section 175), is amended to read as follows:

16 Section 175. Except in cases where a different punishment is  
17 prescribed by law, an accessory to a felony is punishable as ~~follows~~  
18 provided below:

19 1. If the underlying offense is a felony punishable by  
20 imprisonment in the penitentiary for four (4) years or more, the  
21 person guilty of being an accessory shall be subject to imprisonment  
22 in the penitentiary for a term not exceeding one-half (1/2) of the  
23 longest term prescribed upon a conviction for the underlying  
24 offense;

1           2. If the underlying offense is a felony punishable by  
2 imprisonment in the penitentiary for any time less than four (4)  
3 years, the person guilty of being an accessory shall be subject to  
4 imprisonment in a county jail for not more than one (1) year;

5           3. If the underlying offense be punishable by a fine only, the  
6 person guilty of being an accessory shall be subject to a fine not  
7 exceeding one-half (1/2) of the largest amount of money which may be  
8 imposed as a fine upon a conviction of the underlying offense;

9           4. If the underlying offense be punishable by both imprisonment  
10 and a fine, the ~~offender convicted~~ person guilty of being an  
11 accessory shall be subject to both imprisonment and fine, not  
12 exceeding one-half (1/2) of the longest term of imprisonment and  
13 one-half (1/2) of the largest fine which may be imposed upon a  
14 conviction of the underlying offense; and

15           5. If the underlying offense be murder in the first degree, the  
16 person guilty of being an accessory thereto shall be punished by  
17 imprisonment for not less than five (5) years nor more than forty-  
18 five (45) years. If the underlying offense be murder in the second  
19 degree, the person guilty of being an accessory thereto shall be  
20 punished by imprisonment for not less than five (5) years nor more  
21 than twenty-five (25) years.

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

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24           52-2-3307           MB           2/3/2010 6:38:51 PM