

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1861

By: Bingman

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2001, Section 175, as amended by Section 2,
9 Chapter 275, O.S.L. 2004 (21 O.S. Supp. 2009, Section
10 175), which relates to punishment of accessories;
11 clarifying language; and 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 of being an accessory shall be
11 subject to both imprisonment and fine, not exceeding one-half (1/2)
12 of the longest term of imprisonment and one-half (1/2) of the
13 largest fine which may be imposed upon a conviction of the
14 underlying offense; and

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

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

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