

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2238

By: Anderson

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishment; amending 21
8 O.S. 2001, Sections 12.1, and 13.1, as last amended
9 by Section 117, Chapter 234, O.S.L. 2009 (21 O.S.
10 Supp. 2009, Section 13.1), which relates to required
11 service of sentence; modifying length of certain
12 sentences; and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2001, Section 12.1, is
15 amended to read as follows:

16 Section 12.1. A person committing a felony offense listed in
17 Section 30 of this act on or after March 1, 2000, and convicted of
18 the offense shall serve not less than ~~eighty-five percent (85%)~~
19 sixty-five percent (65%) of the sentence of imprisonment imposed
20 within the Department of Corrections. Such person shall not be
21 eligible for parole consideration prior to serving ~~eighty-five~~
22 sixty-five percent (65%) of the sentence imposed and
23 such person shall not be eligible for earned credits or any other
24 type of credits which have the effect of reducing the length of the

1 sentence to less than ~~eighty-five percent (85%)~~ sixty-five percent
2 (65%) of the sentence imposed.

3 SECTION 2. AMENDATORY 21 O.S. 2001, Section 13.1, as
4 last amended by Section 117, Chapter 234, O.S.L. 2009 (21 O.S. Supp.
5 2009, Section 13.1), is amended to read as follows:

6 Section 13.1. Persons convicted of:

- 7 1. First degree murder as defined in Section 701.7 of this
8 title;
- 9 2. Second degree murder as defined by Section 701.8 of this
10 title;
- 11 3. Manslaughter in the first degree as defined by Section 711
12 of this title;
- 13 4. Poisoning with intent to kill as defined by Section 651 of
14 this title;
- 15 5. Shooting with intent to kill, use of a vehicle to facilitate
16 use of a firearm, crossbow or other weapon, assault, battery, or
17 assault and battery with a deadly weapon or by other means likely to
18 produce death or great bodily harm, as provided for in Section 652
19 of this title;
- 20 6. Assault with intent to kill as provided for in Section 653
21 of this title;
- 22 7. Conjoint robbery as defined by Section 800 of this title;
- 23 8. Robbery with a dangerous weapon as defined in Section 801 of
24 this title;

- 1 9. First degree robbery as defined in Section 797 of this
2 title;
- 3 10. First degree rape as provided for in Section 1115 of this
4 title;
- 5 11. First degree arson as defined in Section 1401 of this
6 title;
- 7 12. First degree burglary as provided for in Section 1436 of
8 this title;
- 9 13. Bombing as defined in Section 1767.1 of this title;
- 10 14. Any crime against a child provided for in Section 843.5 of
11 this title;
- 12 15. Forcible sodomy as defined in Section 888 of this title;
- 13 16. Child pornography as defined in Section 1021.2, 1021.3 or
14 1024.1 of this title;
- 15 17. Child prostitution as defined in Section 1030 of this
16 title;
- 17 18. Lewd molestation of a child as defined in Section 1123 of
18 this title;
- 19 19. Abuse of a vulnerable adult as defined in Section 10-103 of
20 Title 43A of the Oklahoma Statutes who is a resident of a nursing
21 facility; or
- 22 20. Aggravated trafficking as provided for in subsection C of
23 Section 2-415 of Title 63 of the Oklahoma Statutes,
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1 shall be required to serve not less than ~~eighty-five percent (85%)~~
2 sixty-five percent (65%) of any sentence of imprisonment imposed by
3 the judicial system prior to becoming eligible for consideration for
4 parole. Persons convicted of these offenses shall not be eligible
5 for earned credits or any other type of credits which have the
6 effect of reducing the length of the sentence to less than ~~eighty-~~
7 ~~five percent (85%)~~ sixty-five percent (65%) of the sentence imposed.

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

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