

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2242

By: Newberry

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2001, Section 650.2, as amended by Section 2,  
9 Chapter 121, O.S.L. 2008 (21 O.S. Supp. 2009, Section  
10 650.2), which relates to assault upon an office of  
11 juvenile affairs employee; modifying penalty; and  
12 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 650.2, as  
15 amended by Section 2, Chapter 121, O.S.L. 2008 (21 O.S. Supp. 2009,  
16 Section 650.2), is amended to read as follows:

17 Section 650.2 A. Every person in the custody of the Oklahoma  
18 Department of Corrections who, without justifiable or excusable  
19 cause, knowingly commits any assault, battery or assault and battery  
20 upon the person of a Department of Corrections employee while ~~said~~  
21 the employee is in the performance of his or her duties shall, upon  
22 conviction thereof, be guilty of a felony.

23 B. Every person incarcerated in an institution operated by a  
24 private prison contractor, pursuant to Section 561, 563.1 or 563.2  
of Title 57 of the Oklahoma Statutes, who, without justifiable or

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

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

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

18 E. Every person in the custody of the Office of Juvenile  
19 Affairs who, without justifiable or excusable cause, knowingly  
20 commits any battery or assault and battery resulting in bodily  
21 injury to any employee of the Office of Juvenile Affairs or employee  
22 of any residential facility while ~~said~~ the employee is in the  
23 performance of duties of employment shall, upon conviction thereof,  
24 be guilty of a felony. The ~~fine~~ penalty for a violation of this

1 subsection shall ~~not~~ be a fine not less than Five Hundred Dollars  
2 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), which may  
3 be imposed ~~whether or not a period of incarceration is imposed in~~  
4 addition to any other penalty imposed pursuant to this section and  
5 shall include a minimum of six (6) months of incarceration at a  
6 facility to be determined by the court.

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

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