

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2304

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 867, as amended by Section 6,
9 Chapter 261, O.S.L. 2007 (21 O.S. Supp. 2009, Section
10 867), which relates to child trafficking; increasing
11 certain penalty; 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 867, as
14 amended by Section 6, Chapter 261, O.S.L. 2007 (21 O.S. Supp. 2009,
15 Section 867), is amended to read as follows:

16 Section 867. A. The first conviction of the crime of
17 trafficking in children by any person shall be a felony and
18 punishable by imprisonment in the custody of the Department of
19 Corrections for not less than ~~one (1) year~~ five (5) years nor for
20 more than ~~three (3) years~~ ten (10) years.

21 B. Conviction of the crime of trafficking in children,
22 subsequent to a prior conviction for such offense in any form, shall
23 be a felony and punishable by ~~imprisonment in the custody of the~~

1 ~~Department of Corrections for not less than three (3) years~~ death.

2 No suspension of judgment or sentence shall be permitted.

3 C. Except for persons sentenced to life or life without parole,
4 any person sentenced to imprisonment for two (2) years or more for a
5 violation of this section shall be required to serve a term of post-
6 imprisonment supervision pursuant to subparagraph f of paragraph 1
7 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
8 under conditions determined by the Department of Corrections. The
9 jury shall be advised that the mandatory post-imprisonment
10 supervision shall be in addition to the actual imprisonment.

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

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