

**BILL SUMMARY**  
1<sup>st</sup> Session of the 52<sup>nd</sup> Legislature

<b>Bill No.:</b>	<b>SB 702</b>
<b>Version:</b>	<b>CCS</b>
<b>Author:</b>	<b>Representative Thomsen</b> <b>Senator Paddack</b>
<b>Date:</b>	<b>May 21, 2009</b>
<b>Impact:</b>	<b>See Table Below</b>

**Bill Summary**

**Fiscal Summary**

Fiscal Analyst: Marilyn Anderson

The conference committee substitute for SB 702 increases the penalty for kidnapping from a maximum of ten years imprisonment to a maximum of twenty years. The measure expands the age limitation of victims of rape by instrumentation to include victims at least 16 years of age and less than 20 years of age and who are under some type of educational or public institutional supervision and engage in the prohibited conduct with a person who is 18 years or older who is an employee of the institution. The measure also to clarifies that consent cannot be an element of the crime.

**Fiscal Analysis**

SB 702 doubles the maximum sentence term for persons convicted of kidnapping. According to the Oklahoma Criminal Justice Resource Center, an average twenty-one offenders are admitted to prison each year for kidnapping, with an average prison sentence of 8.6 years. Every person sentenced to a term of imprisonment costs the state approximately \$55 per day for each day of imprisonment. The Oklahoma Criminal Justice Resource Center estimates the cost increase to be \$3,890 in year one and continue to increase each year until year ten when the cost stabilizes at \$340,567 and continues at that cost each year thereafter.

<b>Year</b>	<b>Cost Increase</b>
1	\$ 3,890
2	\$ 70,209
3	\$ 121,774
4	\$ 121,668
5	\$ 130,572
6	\$ 219,828
7	\$ 309,127
8	\$ 340,445
9	\$ 340,518
10+	\$ 340,567

According to the Oklahoma Criminal Justice Resource Center, disallowing consent and expanding the age limitation of victims of rape by instrumentation to include victims 16-19 years

of age who are under some type of educational or public institutional supervision and engage in the prohibited conduct with an employee of the institution has the potential to increase the number of offenders sentenced to prison. The Oklahoma Criminal Justice Resource Center is unable to calculate an exact number, but anticipates that it would make it easier to prosecute the prohibited conduct if the offenders are employed or have supervision responsibilities in an educational or public institution.

**Long Term Fiscal Considerations**

None

Fiscal Analysis Reviewed By:

*Janice Buchanan*

House Fiscal Director