

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1597

6 By: Martin (Steve)

7 COMMITTEE SUBSTITUTE

8 An Act relating to crimes and punishments; amending  
9 21 O.S. 2011, Section 649, which relates to assault  
10 and battery upon police officers; expanding scope of  
11 certain prohibited act; defining terms; and providing  
12 an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 649, is  
15 amended to read as follows:

16 Section 649. A. Every person who, without justifiable or  
17 excusable cause, knowingly commits any assault upon the person of a  
18 police officer, sheriff, deputy sheriff, highway patrolman,  
19 corrections personnel, or state peace officer employed or duly  
20 appointed by any state governmental agency to enforce state laws  
21 while said officer is in the performance of his or her duties is  
22 punishable by imprisonment in the county jail not exceeding six (6)  
23 months, or by a fine not exceeding Five Hundred Dollars (\$500.00),  
24 or by both such fine and imprisonment.

1 B. Every person who, without justifiable or excusable cause  
2 knowingly commits battery or assault and battery upon the person of  
3 a police officer, sheriff, deputy sheriff, highway patrolman,  
4 corrections personnel, security guard who is performing security  
5 services, private investigator who is in the performance of his or  
6 her duties, or ~~other~~ any state peace officer employed or duly  
7 appointed by any state governmental agency to enforce state laws  
8 while said officer is in the performance of his or her duties, upon  
9 conviction, shall be guilty of a felony punishable by imprisonment  
10 of not more than five (5) years in a state correctional institution  
11 or county jail for a period not to exceed one (1) year, or by a fine  
12 not exceeding Five Hundred Dollars (\$500.00), or by both such fine  
13 and imprisonment.

14 C. As used in this section and in Section 650 of this title,  
15 "corrections personnel" means any person, employed or duly appointed  
16 by the state or by a political subdivision, who has direct contact  
17 with inmates of a jail or state correctional facility, and includes  
18 but is not limited to, Department of Corrections personnel in job  
19 classifications requiring direct contact with inmates, persons  
20 providing vocational-technical training to inmates, education  
21 personnel who have direct contact with inmates because of education  
22 programs for inmates, and persons employed or duly appointed by  
23 county or municipal jails to supervise inmates or to provide medical  
24 treatment or meals to inmates of jails.

1        D. As used in this section, "security guard" and "private  
2 investigator" shall mean any person who is licensed pursuant to the  
3 provisions of the Oklahoma Security Guard and Private Investigator  
4 Act.

5        SECTION 2. This act shall become effective November 1, 2012.

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