

1 ENGROSSED HOUSE
2 BILL NO. 2302

By: Hilliard of the House
and
Simpson of the Senate

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7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 741, which relates to
9 kidnapping; clarifying scope of kidnapping
10 definition; and providing an effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2011, Section 741, is
14 amended to read as follows:

15 Section 741. Any person who, without lawful authority, ~~forcibly~~
16 ~~seizes and,~~ confines another, ~~or~~ inveigles ~~or,~~ decoys, kidnaps,
17 abducts, or carries away another, with intent, either:

18 ~~First.~~ 1. To cause such other person to be confined or
19 imprisoned in this state against the will of the other person; or

20 ~~Second.~~ 2. To cause such other person to be sent out of this
21 state against the will of the other person; or

22 ~~Third.~~ 3. To cause such person to be sold as a slave, or in any
23 way held to service against the will of such person,

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1 shall be guilty of a felony punishable by imprisonment in the
2 custody of the Department of Corrections for a term not exceeding
3 twenty (20) years. Upon any trial for a violation of this section,
4 the consent thereto of the person kidnapped or confined, shall not
5 be a defense, unless it appears satisfactorily to the jury, that
6 such person was above the age of twelve (12) years, and that such
7 consent was not extorted by threat, or by duress.

8 Except for persons sentenced to life or life without parole, on
9 and after the effective date of this act, any person sentenced to
10 imprisonment for a violation of this section and the offense
11 involved sexual abuse or sexual exploitation, shall be required to
12 serve a term of post-imprisonment supervision pursuant to
13 subparagraph f of paragraph 1 of subsection A of Section 991a of
14 Title 22 of the Oklahoma Statutes under conditions determined by the
15 Department of Corrections. The jury shall be advised that the
16 mandatory post-imprisonment supervision shall be in addition to the
17 actual imprisonment.

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