

1 ENGROSSED SENATE
2 BILL NO. 1072

By: Barrington of the Senate

3 and

4 Roan of the House

5
6 [crimes and punishments - wearing of body armor -
7 penalty - effective date]
8

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

10 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.19, is
11 amended to read as follows:

12 Section 1289.19. As used in Sections 1289.20 through 1289.22
13 and Section 1289.26 of this title ~~and Section 2 of this act:~~

14 1. "Restricted bullet" means a round or elongated missile with
15 a core of less than sixty percent (60%) lead and having a
16 fluorocarbon coating, which is designed to travel at a high velocity
17 and is capable of penetrating body armor; ~~and~~

18 2. "Body armor" means a vest or shirt of ten (10) plies or more
19 of bullet resistant material as defined by the Office of
20 Development, Testing and Dissemination, a division of the United
21 States Department of Justice; and

22 3. "Kevlar Helmet" means the Personnel Armor System Ground
23 Troops Helmet (PASGT Helmet) made from layers of Kevlar, a ballistic
24 aramid fabric treated with a phenolic resin system which offers

1 protection against shrapnel and ballistic threats, or any
2 replacement for the Kevlar Helmet developed for and used by the U.S.
3 Army, U.S. Air Force service or the U.S. Marine Corp. and U.S. Navy
4 service. Nothing in this section shall be construed to prohibit the
5 lawful possession of a helmet or Kevlar Helmet or body armor related
6 to purposes of collecting or from a veteran's time of service.

7 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1289.26, is
8 amended to read as follows:

9 Section 1289.26.

10 USE OF BODY ARMOR

11 Any person who commits or attempts to commit a felony while
12 wearing body armor or a helmet as defined in Section 1289.19 of this
13 title, in addition to the penalty provided by statute for the felony
14 committed or attempted, upon conviction shall be guilty of a felony
15 for wearing such body armor or helmet, which shall be a separate
16 offense from the felony committed or attempted, and shall be
17 punishable by imprisonment in the State Penitentiary for a period of
18 not more than ten (10) years for the first offense, and for a period
19 of not more than twenty (20) years for any second or subsequent
20 offense.

21 SECTION 3. This act shall become effective November 1, 2012.

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1 Passed the Senate the 7th day of March, 2012.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2012.

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8 _____
9 Presiding Officer of the House
10 of Representatives