

# An Act

ENROLLED HOUSE  
BILL NO. 2302

By: Hilliard of the House

and

Simpson of the Senate

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

SUBJECT: Kidnapping

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

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

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

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

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

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

shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding twenty (20) years. Upon any trial for a violation of this section, the consent thereto of the person kidnapped or confined, shall not be a defense, unless it appears satisfactorily to the jury, that

such person was above the age of twelve (12) years, and that such consent was not extorted by threat, or by duress.

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

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

Passed the House of Representatives the 1st day of March, 2012.

\_\_\_\_\_  
Presiding Officer of the House of  
Representatives

Passed the Senate the 11th day of April, 2012.

\_\_\_\_\_  
Presiding Officer of the Senate

**OFFICE OF THE GOVERNOR**

Received by the Governor this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma the \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this \_\_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_