

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2908

By: Hamilton

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6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 1115 (Section 124, Chapter 234,
9 O.S.L. 2009), which relates to penalties for first-
degree rape; increasing penalty; 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 1115
14 (Section 124, Chapter 234, O.S.L. 2009), is amended to read as
15 follows:

16 Section 1115. A. Rape in the first degree is a felony
17 punishable by ~~death or~~ imprisonment in the custody of the Department
18 of Corrections, for a term of not less than five (5) years, life or
19 life without parole.

20 B. Except for persons sentenced to life or life without parole,
21 any person sentenced to imprisonment for ~~two (2)~~ five (5) years or
22 more for a violation of ~~this section~~ subsection A of Section 1114 of
23 this title shall be required to serve a term of post-imprisonment
24 supervision pursuant to subparagraph f of paragraph 1 of subsection

1 A of Section 991a of Title 22 of the Oklahoma Statutes under
2 conditions determined by the Department of Corrections. The jury
3 shall be advised that the mandatory post-imprisonment supervision
4 shall be in addition to the actual imprisonment.

5 C. Any person convicted of a violation of paragraph 1 of
6 subsection A of Section 1114 of this title shall be punished by
7 imprisonment in the custody of the Department of Corrections for a
8 term of life without parole.

9 D. Any person convicted of a second or subsequent violation of
10 subsection A of Section 1114 of this title shall not be eligible for
11 any form of probation.

12 E. Any person convicted of a third or subsequent violation of
13 subsection A of Section 1114 of this title or of an offense under
14 Section 888 of this title or an offense under Section 1123 of this
15 title or sexual abuse of a child pursuant to Section 843.5 of this
16 title, or any attempt to commit any of these offenses or any
17 combination of these offenses shall be punished by imprisonment in
18 the custody of the Department of Corrections for life or life
19 without parole.

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

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22 53-2-8484 GRS 01/03/12

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