

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3009

By: Terrill

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6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 701.7, which relates to the
9 crime of murder in the first degree; expanding scope
10 of crime; 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 701.7, is
14 amended to read as follows:

15 Section 701.7 A. A person commits murder in the first degree
16 when that person unlawfully and with malice aforethought causes the
17 death of another human being. Malice is that deliberate intention
18 unlawfully to take away the life of a human being, which is
19 manifested by external circumstances capable of proof.

20 B. A person also commits the crime of murder in the first
21 degree, regardless of malice, when that person or any other person
22 takes the life of a human being during, or if the death of a human
23 being results from, the commission or attempted commission of murder
24 of another person, shooting or discharge of a firearm or crossbow

1 with intent to kill, intentional discharge of a firearm or other
2 deadly weapon into any dwelling or building as provided in Section
3 1289.17A of this title, forcible rape, robbery with a dangerous
4 weapon, kidnapping, escape from lawful custody, eluding an officer,
5 first degree burglary, first degree arson, unlawful distributing or
6 dispensing of controlled dangerous substances, or trafficking in
7 illegal drugs.

8 C. A person commits murder in the first degree when the death
9 of a child results from the willful or malicious injuring,
10 torturing, maiming or using of unreasonable force by said person or
11 who shall willfully cause, procure or permit any of said acts to be
12 done upon the child pursuant to Section 843.5 of this title. It is
13 sufficient for the crime of murder in the first degree that the
14 person either willfully tortured or used unreasonable force upon the
15 child or maliciously injured or maimed the child.

16 D. A person commits murder in the first degree when that person
17 unlawfully and with malice aforethought solicits another person or
18 persons to cause the death of a human being in furtherance of
19 unlawfully manufacturing, distributing or dispensing controlled
20 dangerous substances, as defined in the Uniform Controlled Dangerous
21 Substances Act, unlawfully possessing with intent to distribute or
22 dispense controlled dangerous substances, or trafficking in illegal
23 drugs.

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1 E. A person commits murder in the first degree when that person
2 intentionally causes the death of a law enforcement officer ~~or~~,
3 correctional officer, or corrections employee while the officer or
4 employee is in the performance of official duties.

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

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7 53-2-9028 GRS 01/05/12

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