

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 893

By: Shortey

4
5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; creating
8 the Jerome Ersland Act; providing short title; making
9 certain acts justified under specified conditions;
10 making presumption rebuttable with certain evidence;
11 providing for noncodification; providing for
12 codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law not to be
15 codified in the Oklahoma Statutes reads as follows:

16 This act shall be known and may be cited as the "Jerome Ersland
17 Act".

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 734 of Title 21, unless there is
20 created a duplication in numbering, reads as follows:

21 A homicide shall be presumed to be justified if:

22 1. The deceased was committing an act of armed robbery at or
23 shortly before the action that led to the death of the person; and
24

1 2. The homicide occurred on the property where the armed
2 robbery had taken place.

3 This presumption is rebuttable by clear and convincing evidence
4 that the homicide was not in self-defense or in the defense of
5 others.

6 SECTION 3. This act shall become effective November 1, 2011.

7
8 53-1-1213 MD 1/20/2011 3:59:12 PM

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24