

1 STATE OF OKLAHOMA

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

3 SENATE BILL 987

By: Paddack

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishment; amending 21
8 O.S. 2011, Section 701.7, which relates to first
9 degree murder; expanding crime of first degree
10 murder; and providing an effective date.

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

12 SECTION 1. AMENDATORY 21 O.S. 2011, Section 701.7, is
13 amended to read as follows:

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

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

1 deadly weapon into any dwelling or building as provided in Section
2 1289.17A of this title, forcible rape, robbery with a dangerous
3 weapon, kidnapping, escape from lawful custody, eluding an officer,
4 first degree burglary, first degree arson, unlawful distributing or
5 dispensing of controlled dangerous substances or synthetic
6 controlled substances as defined pursuant to Section 2-101 of Title
7 63 of the Oklahoma Statutes, ~~or~~ trafficking in illegal drugs, or
8 manufacturing or attempting to manufacture a controlled dangerous
9 substance.

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

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

3 E. A person commits murder in the first degree when that person
4 intentionally causes the death of a law enforcement officer or
5 correctional officer while the officer is in the performance of
6 official duties.

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

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