ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE
BILL NO. 1423 By: Biggs and Cooksey of the House

and

David of the Senate

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 455, which relates to testimony by witnesses; expanding scope of certain prohibited act; updating language; and providing an effective date.

AMENDMENT NO. 1. Page 1, strike the title, enacting clause and entire bill and insert

"An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 455, which relates to testimony by witnesses; expanding scope of certain prohibited act; updating language; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 455, is amended to read as follows:

Section 455. A. Every person who willfully prevents <u>or attempts to prevent</u> any person from giving testimony <u>or producing any record, document or other object,</u> who has been duly summoned or subpoenaed or endorsed on the criminal information or juvenile

petition as a witness, or who makes a report of abuse or neglect pursuant to ~~Sections 7103 and 7104~~ Section 1-2-101 of Title ~~10~~ 10A of the Oklahoma Statutes or Section 10-104 of Title 43A of the Oklahoma Statutes, or who is a witness to any reported crime, or threatens or procures physical or mental harm through force or fear with the intent to prevent any witness from appearing in court to give his or her testimony or produce any record, document or other object, or to alter his or her testimony is, upon conviction, guilty of a felony punishable by not less than one (1) year nor more than ten (10) years in the ~~State Penitentiary~~ custody of the Department of Corrections.

B. Every person who threatens physical harm through force or fear or causes or procures physical harm to be done to any person or harasses any person or causes a person to be harassed because of testimony given by such person in any civil or criminal trial or proceeding, or who makes a report of abuse or neglect pursuant to ~~Sections 7103 and 7104~~ Section 1-2-101 of Title ~~10~~ 10A of the Oklahoma Statutes or Section 10-104 of Title 43A of the Oklahoma Statutes, is, upon conviction, guilty of a felony punishable by not less than one (1) year nor more than ten (10) years in the ~~State Penitentiary~~ custody of the Department of Corrections.

SECTION 2. This act shall become effective November 1, 2013."

Passed the Senate the 17th day of April, 2013.

_____
Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2013.

_____
Presiding Officer of the House
of Representatives

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BILL NO. 1423 By: Biggs and Cooksey of the House

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An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 455, which relates to testimony by witnesses; expanding scope of certain prohibited act; updating language; and providing an effective date.

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

SECTION 3. AMENDATORY 21 O.S. 2011, Section 455, is amended to read as follows:

Section 455. A. Every person who willfully prevents <u>or attempts to prevent</u> any person from giving testimony <u>or producing any record, document or other object,</u> who has been duly summoned or subpoenaed or endorsed on the criminal information or juvenile petition as a witness, or who makes a report of abuse or neglect pursuant to ~~Sections 7103 and 7104~~ <u>Section 1-2-101</u> of Title ~~10~~ <u>10A</u> of the Oklahoma Statutes or Section 10-104 of Title 43A of the Oklahoma Statutes, or who is a witness to any reported crime, or threatens or procures physical or mental harm through force or fear with the intent to prevent any witness from appearing in court to

give his or her testimony or produce any record, document or other object, or to alter his or her testimony is, upon conviction, guilty of a felony punishable by not less than one (1) year nor more than ten (10) years in the ~~State Penitentiary~~ custody of the Department of Corrections.

B. Every person who threatens physical harm through force or fear or causes or procures physical harm to be done to any person or harasses any person or causes a person to be harassed because of testimony given by such person in any civil or criminal trial or proceeding, or who makes a report of abuse or neglect pursuant to ~~Sections 7103 and 7104~~ Section 1-2-101 of Title ~~10~~ 10A of the Oklahoma Statutes or Section 10-104 of Title 43A of the Oklahoma Statutes, is, upon conviction, guilty of a felony punishable by not less than one (1) year nor more than ten (10) years in the ~~State Penitentiary~~ custody of the Department of Corrections.

C. For purposes of this section, the testimony or the record, document or other object need not be admissible in evidence or free of a claim of privilege.

SECTION 4. This act shall become effective November 1, 2013.

Passed the House of Representatives the 26th day of February, 2013.

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Presiding Officer of the House
of Representatives

Passed the Senate the ___ day of _____, 2013.

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Presiding Officer of the Senate