

1 ENGROSSED HOUSE  
2 BILL NO. 1241

By: Martin (Steve) and Biggs of  
the House

3 and

4 Allen of the Senate  
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8 An Act relating to crimes and punishments; amending  
9 21 O.S. 2011, Section 1401, which relates to arson in  
10 the first degree; clarifying scope of certain  
11 prohibited act; modifying penalty for certain  
12 conviction; and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1401, is  
15 amended to read as follows:

16 Section 1401. A. Any person who willfully and maliciously sets  
17 fire to or burns, or by the use of any explosive device, accelerant,  
18 ignition device, heat-producing device or substance ~~or while~~  
19 ~~manufacturing or attempting to manufacture a controlled dangerous~~  
20 ~~substance in violation of subsection C of Section 2-401 of Title 63~~  
21 ~~of the Oklahoma Statutes~~, destroys in whole or in part, or causes to  
22 be burned or destroyed, or aids, counsels or procures the burning or  
23 destruction of any building or structure or contents thereof,  
24 inhabited or occupied by one or more persons, whether the property

1 of that person or another, or who willfully and maliciously sets  
2 fire to or burns, or by the use of any explosive device, accelerant,  
3 ignition device, heat-producing device or substance ~~or while~~  
4 ~~manufacturing or attempting to manufacture a controlled dangerous~~  
5 ~~substance in violation of subsection G of Section 2-401 of Title 63~~  
6 ~~of the Oklahoma Statutes,~~ causes a person to be burned, or aids,  
7 counsels or procures the burning of a person, shall, upon  
8 conviction, be guilty of arson in the first degree, which is a  
9 felony, and ~~upon conviction thereof~~ shall be punished by a fine not  
10 to exceed Twenty-five Thousand Dollars (\$25,000.00), or be confined  
11 to by imprisonment in the State Penitentiary custody of the  
12 Department of Corrections for not more than thirty-five (35) years,  
13 or by both such fine and imprisonment.

14 B. Any person who, while manufacturing, attempting to  
15 manufacture or endeavoring to manufacture a controlled dangerous  
16 substance in violation of subsection G of Section 2-401 of Title 63  
17 of the Oklahoma Statutes, destroys in whole or in part, or causes to  
18 be burned or destroyed, or aids, counsels or procures the burning or  
19 destruction of any building or contents thereof, inhabited or  
20 occupied by one or more persons whether the property of that person  
21 or another, or who while manufacturing or attempting to manufacture  
22 a controlled dangerous substance in violation of subsection G of  
23 Section 2-401 of Title 63 of the Oklahoma Statutes causes a person  
24 to be burned, or aids, counsels or procures the burning of a person

1 shall, upon conviction, be guilty of arson in the first degree,  
2 which is a felony, and shall be punished by a fine not to exceed  
3 Twenty-five Thousand Dollars (\$25,000.00) and by imprisonment in the  
4 custody of the Department of Corrections for not more than thirty-  
5 five (35) years.

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

7 Passed the House of Representatives the 25th day of February,  
8 2013.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2013.

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Presiding Officer of the Senate

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