

1 ENGROSSED HOUSE
2 BILL NO. 1423

By: Biggs and Cooksey of the
House

3 and

4 David of the Senate

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6
7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 455, which relates to testimony
9 by witnesses; expanding scope of certain prohibited
act; updating language; 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 455, is
14 amended to read as follows:

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

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

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

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

19 SECTION 2. This act shall become effective November 1, 2013.
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1 Passed the House of Representatives the 26th day of February,
2013.

3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2013.

6 _____
7 Presiding Officer of the Senate