

1 ENGROSSED SENATE  
2 BILL NO. 175

By: Griffin and Johnson  
(Constance) of the Senate

3 and

4 Denney of the House

5  
6  
7 [ rape - definition of rape - modifying definition -  
8 effective date ]  
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1111, is  
13 amended to read as follows:

14 Section 1111. A. Rape is an act of sexual intercourse  
15 involving vaginal or anal penetration accomplished with a male or  
16 female who is not the spouse of the perpetrator and who may be of  
17 the same or the opposite sex as the perpetrator under any of the  
18 following circumstances:

- 19 1. Where the victim is under sixteen (16) years of age;
- 20 2. Where the victim is incapable through mental illness or any  
21 other unsoundness of mind, whether temporary or permanent, of giving  
22 legal consent;
- 23 3. Where force or violence is used or threatened, accompanied  
24 by apparent power of execution to the victim or to another person;

1           4. Where the victim is intoxicated by a narcotic or anesthetic  
2 agent, administered by or with the privity of the accused as a means  
3 of forcing the victim to submit;

4           5. Where the victim is at the time unconscious of the nature of  
5 the act and this fact is known to the accused;

6           6. Where the victim submits to sexual intercourse under the  
7 belief that the person committing the act is a spouse, and this  
8 belief is induced by artifice, pretense, or concealment practiced by  
9 the accused or by the accused in collusion with the spouse with  
10 intent to induce that belief. In all cases of collusion between the  
11 accused and the spouse to accomplish such act, both the spouse and  
12 the accused, upon conviction, shall be deemed guilty of rape;

13           7. Where the victim is under the legal custody or supervision  
14 of a state agency, a federal agency, a county, a municipality or a  
15 political subdivision and engages in sexual intercourse with a  
16 state, federal, county, municipal or political subdivision employee  
17 or an employee of a contractor of the state, the federal government,  
18 a county, a municipality or a political subdivision that exercises  
19 authority over the victim; ~~or~~

20           8. Where the victim is at least sixteen (16) years of age and  
21 is less than twenty (20) years of age and is a student, or under the  
22 legal custody or supervision of any public or private elementary or  
23 secondary school, junior high or high school, or public vocational  
24 school, and engages in sexual intercourse with a person who is

1 eighteen (18) years of age or older and is an employee of the same  
2 school system; or

3 9. Where the victim is at least sixteen (16) years of age and  
4 is less than eighteen (18) years of age and engages in sexual  
5 intercourse at any time during the victim's participation in a  
6 church youth program or membership in a church or place of worship  
7 with a person who is eighteen (18) years of age or older and is an  
8 employee or volunteer employee of the same church or ministry,  
9 despite whether the conduct occurs at a place other than the youth  
10 program locations or church or place of worship.

11 B. Rape is an act of sexual intercourse accomplished with a  
12 male or female who is the spouse of the perpetrator if force or  
13 violence is used or threatened, accompanied by apparent power of  
14 execution to the victim or to another person.

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

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