

1                                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2   STATE OF OKLAHOMA

3   1st Session of the 54th Legislature (2013)

4 HOUSE BILL 1241

  By: Martin (Steve)

7   AS INTRODUCED

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  
                  prohibited act; modifying penalty for certain  
                  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,

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

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

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1 Section 2-401 of Title 63 of the Oklahoma Statutes, causes a person  
2 to be burned, or aids, counsels or procures the burning of a person  
3 shall, upon conviction, be guilty of arson in the first degree,  
4 which is a felony, and shall be punished by a fine not to exceed  
5 Twenty-five Thousand Dollars (\$25,000.00) and by imprisonment in the  
6 custody of the Department of Corrections for not more than thirty-  
7 five (35) years.

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

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10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/06/2013 - DO  
11 PASS.

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