

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 HOUSE BILL 1423

By: Biggs

7 AS INTRODUCED

8 An Act relating to crimes and punishments; amending
9 21 O.S. 2011, Section 455, which relates to testimony
10 by witnesses; expanding scope of certain prohibited
11 act; updating language; and providing an effective
12 date.

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

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

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

1 threatens or procures physical or mental harm through force or fear
2 with the intent to prevent any witness from appearing in court to
3 give his or her testimony or produce any record, document or other
4 object, or to alter his or her testimony is, upon conviction, guilty
5 of a felony punishable by not less than one (1) year nor more than
6 ten (10) years in the ~~State Penitentiary~~ custody of the Department
7 of Corrections.

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

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

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

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