

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 54th Legislature (2014)

4 HOUSE BILL 2341

                                  By: Biggs

7                                   AS INTRODUCED

8                   An Act relating to crimes and punishments; making  
9                   certain acts unlawful; providing penalties; defining  
10                  terms; providing for codification; and providing an  
11                  effective date.

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

13           SECTION 1.       NEW LAW       A new section of law to be codified  
14           in the Oklahoma Statutes as Section 540D of Title 21, unless there  
15           is created a duplication in numbering, reads as follows:

16           A. It is unlawful for a person to provide a false statement to  
17           law enforcement when, with intent to prevent, hinder or delay the  
18           investigation of any crime or offense by a law enforcement officer  
19           or agency, the person knowingly provides any false written, audio or  
20           video recorded statement to a law enforcement officer or agency when  
21           such statement is material to the investigation.

22           B. Any person who provides a false statement to law enforcement  
23           when the crime or offense being investigated is a misdemeanor shall,  
24           upon conviction, be guilty of a misdemeanor punishable by

1 imprisonment in the county jail not exceeding one (1) year, or by a  
2 fine not exceeding Five Hundred Dollars (\$500.00), or by both such  
3 fine and imprisonment.

4 C. Any person who provides a false statement to law enforcement  
5 when the crime or offense being investigated is a felony shall, upon  
6 conviction, be guilty of a felony punishable by imprisonment in the  
7 custody of the Department of Corrections not exceeding two (2)  
8 years, or by a fine not exceeding One Thousand Dollars (\$1,000.00),  
9 or by both such fine and imprisonment. Any person who provides a  
10 false statement when the crime or offense being investigated is a  
11 felony enumerated in Section 13.1 of Title 21 of the Oklahoma  
12 Statutes shall, upon conviction, be guilty of a felony punishable by  
13 imprisonment in the custody of the Department of Corrections not  
14 exceeding ten (10) years, or by a fine not exceeding Five Thousand  
15 Dollars (\$5,000.00), or by both such fine and imprisonment.

16 D. As used in this section:

17 1. A "statement" is any oral or written assertion and includes,  
18 but is not limited to, any oral utterance, any written document or  
19 instrument, any computer-generated document or instrument, any  
20 police report, or any representation that a person makes under  
21 circumstances evidencing an intent that such be used or knowledge  
22 that a law enforcement officer or agency may use such as an  
23 assertion of fact;

24

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.

1           2. A statement is "false" when such statement contains untrue,  
2 incomplete or misleading information concerning any fact or thing  
3 material to the investigation of a crime or offense by a law  
4 enforcement officer or agency;

5           3. A statement is "material" when, regardless of its eventual  
6 use or admissibility in an official proceeding, it could have  
7 affected the course or outcome of the investigation of a crime or  
8 offense by a law enforcement officer or agency; and

9           4. An "official proceeding" includes any action or proceeding  
10 conducted by or before a legally constituted judicial,  
11 administrative or other governmental agency or official, in which  
12 evidence or testimony of witnesses may properly be received.

13           SECTION 2. This act shall become effective November 1, 2014.

14  
15 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/11/2014 - DO  
16 PASS.

17  
18  
19  
20  
21  
22  
23  
24