

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 HOUSE BILL 1241

By: Martin (Steve)

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 1401, which relates to arson in
9 the first degree; clarifying scope of certain
10 prohibited act; modifying penalty for certain
11 conviction; and providing an effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1401, is
14 amended to read as follows:

15 Section 1401. A. Any person who willfully and maliciously sets
16 fire to or burns, or by the use of any explosive device, accelerant,
17 ignition device, heat-producing device or substance ~~or while~~
18 ~~manufacturing or attempting to manufacture a controlled dangerous~~
19 ~~substance in violation of subsection G of Section 2-401 of Title 63~~
20 ~~of the Oklahoma Statutes~~, destroys in whole or in part, or causes to
21 be burned or destroyed, or aids, counsels or procures the burning or
22 destruction of any building or structure or contents thereof,
23 inhabited or occupied by one or more persons, whether the property
24 of that person or another, or who willfully and maliciously sets

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

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

1 which is a felony, and shall be punished by a fine not to exceed
2 Twenty-five Thousand Dollars (\$25,000.00) and by imprisonment in the
3 custody of the Department of Corrections for not more than thirty-
4 five (35) years.

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

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7 54-1-5361 GRS 12/21/12

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