

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3180

By: Blackwell

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 13.1, which relates to required
9 service of prison sentence; modifying eligibility
requirements for earned credits; and providing an
effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2011, Section 13.1, is
14 amended to read as follows:

15 Section 13.1 Persons convicted of:

- 16 1. First degree murder as defined in Section 701.7 of this
17 title;
- 18 2. Second degree murder as defined by Section 701.8 of this
19 title;
- 20 3. Manslaughter in the first degree as defined by Section 711
21 of this title;
- 22 4. Poisoning with intent to kill as defined by Section 651 of
23 this title;

- 1 5. Shooting with intent to kill, use of a vehicle to facilitate
2 use of a firearm, crossbow or other weapon, assault, battery, or
3 assault and battery with a deadly weapon or by other means likely to
4 produce death or great bodily harm, as provided for in Section 652
5 of this title;
- 6 6. Assault with intent to kill as provided for in Section 653
7 of this title;
- 8 7. Conjoint robbery as defined by Section 800 of this title;
- 9 8. Robbery with a dangerous weapon as defined in Section 801 of
10 this title;
- 11 9. First degree robbery as defined in Section 797 of this
12 title;
- 13 10. First degree rape as provided for in Section 1115 of this
14 title;
- 15 11. First degree arson as defined in Section 1401 of this
16 title;
- 17 12. First degree burglary as provided for in Section 1436 of
18 this title;
- 19 13. Bombing as defined in Section 1767.1 of this title;
- 20 14. Any crime against a child provided for in Section 843.5 of
21 this title;
- 22 15. Forcible sodomy as defined in Section 888 of this title;
- 23 16. Child pornography as defined in Section 1021.2, 1021.3 or
24 1024.1 of this title;

1 17. Child prostitution as defined in Section 1030 of this
2 title;

3 18. Lewd molestation of a child as defined in Section 1123 of
4 this title;

5 19. Abuse of a vulnerable adult as defined in Section 10-103 of
6 Title 43A of the Oklahoma Statutes who is a resident of a nursing
7 facility;

8 20. Aggravated trafficking as provided for in subsection C of
9 Section 2-415 of Title 63 of the Oklahoma Statutes; or

10 21. Aggravated assault and battery upon any person defending
11 another person from assault and battery,
12 shall be required to serve not less than eighty-five percent (85%)
13 of any sentence of imprisonment imposed by the judicial system prior
14 to becoming eligible for consideration for parole. ~~Persons~~
15 ~~convicted of these offenses shall not be eligible~~ or for receiving
16 earned credits or any other type of credits which have the effect of
17 reducing the length of the sentence to less than imposed. The
18 Department of Corrections shall keep an accounting of the earned
19 credits of the inmate during incarceration and shall, in the
20 discretion of the Director, apply said credits when eighty-five
21 percent (85%) of the sentence imposed has been served. Granting of
22 the credits shall be solely in the discretion of the Director based
23 on institutional behavior and the total credits granted shall not be
24 more than fifteen percent (15%) of the total sentence.

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

54-2-8851 GRS 12/16/13