

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1117

By: Cleveland

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 13.1, as amended by Section 1, Chapter 231, O.S.L. 2014 (21 O.S. Supp. 2014, Section 13.1), which relates to required service of prison sentence; modifying eligibility requirements for earned credits; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 13.1, as amended by Section 1, Chapter 231, O.S.L. 2014 (21 O.S. Supp. 2014, Section 13.1), is amended to read as follows:

Section 13.1 Persons convicted of:

1. First degree murder as defined in Section 701.7 of this title;
2. Second degree murder as defined by Section 701.8 of this title;
3. Manslaughter in the first degree as defined by Section 711 of this title;

1 4. Poisoning with intent to kill as defined by Section 651 of
2 this title;

3 5. Shooting with intent to kill, use of a vehicle to facilitate
4 use of a firearm, crossbow or other weapon, assault, battery, or
5 assault and battery with a deadly weapon or by other means likely to
6 produce death or great bodily harm, as provided for in Section 652
7 of this title;

8 6. Assault with intent to kill as provided for in Section 653
9 of this title;

10 7. Conjoint robbery as defined by Section 800 of this title;

11 8. Robbery with a dangerous weapon as defined in Section 801 of
12 this title;

13 9. First degree robbery as defined in Section 797 of this
14 title;

15 10. First degree rape as provided for in Section 1115 of this
16 title;

17 11. First degree arson as defined in Section 1401 of this
18 title;

19 12. First degree burglary as provided for in Section 1436 of
20 this title;

21 13. Bombing as defined in Section 1767.1 of this title;

22 14. Any crime against a child as provided for in Section 843.5
23 of this title;

24 15. Forcible sodomy as defined in Section 888 of this title;

1 16. Child pornography as defined in Section 1021.2, 1021.3 or
2 1024.1 of this title;

3 17. Child prostitution as defined in Section 1030 of this
4 title;

5 18. Lewd molestation of a child as defined in Section 1123 of
6 this title;

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

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

12 21. Aggravated assault and battery upon any person defending
13 another person from assault and battery; or

14 22. Human trafficking as provided for in Section 748 of this
15 title,

16 shall be required to serve not less than eighty-five percent (85%)
17 of any sentence of imprisonment imposed by the judicial system prior
18 to becoming eligible for consideration for parole. Persons
19 convicted of these offenses shall ~~not~~ be eligible ~~for~~ to receive and
20 accumulate earned credits or any other type of credits ~~which have~~
21 ~~the effect of reducing the length of~~ while serving the sentence ~~to~~
22 ~~less than~~ of imprisonment. The Department of Corrections shall
23 apply the accumulated credits after eighty-five percent (85%) of the
24 sentence imposed has been served. The person shall be eligible for

1 immediate discharge if the sum of earned credits and service time
2 equals the total sentence length. The granting of earned credits
3 shall be at the discretion of the Director based on the criteria
4 provided for in Section 138 of Title 57 of the Oklahoma Statutes.

5 SECTION 2. This act shall become effective November 1, 2015.

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