

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 112

By: Shaw

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5
6 AS INTRODUCED

7 An Act relating to crime and punishments; amending 21
8 O.S. 2011, Section 13.1, as last amended by Section
9 1, Chapter 231, O.S.L. 2014 (21 O.S. Supp. 2014,
10 Section 13.1), which relates to required service of
11 prison sentence; modifying eligibility requirements
for earned credits; 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 13.1, as
14 last amended by Section 1, Chapter 231, O.S.L. 2014 (21 O.S. Supp.
15 2014, Section 13.1), is amended to read as follows:

16 Section 13.1. Persons convicted of:

- 17 1. First degree murder as defined in Section 701.7 of this
18 title;
- 19 2. Second degree murder as defined by Section 701.8 of this
20 title;
- 21 3. Manslaughter in the first degree as defined by Section 711
22 of this title;
- 23 4. Poisoning with intent to kill as defined by Section 651 of
24 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;

10 21. Aggravated assault and battery upon any person defending
11 another person from assault and battery; or

12 22. Human trafficking as provided for in Section 748 of this
13 title,

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

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

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

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