

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 HOUSE BILL 2732

 By: Cleveland of the House

5 and

6 Brecheen of the Senate

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8
9 AS INTRODUCED

10 An Act relating to crimes and punishments; creating
11 the Correctional Officer Safety Act of 2014; amending
12 21 O.S. 2011, Section 13.1, which relates to required
13 service of prison sentence; modifying eligibility
14 requirements for earned credits; providing for
15 noncodification; and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law not to be
18 codified in the Oklahoma Statutes reads as follows:

19 This act shall be known and may be cited as the "Correctional
20 Officer Safety Act of 2014".

21 SECTION 2. AMENDATORY 21 O.S. 2011, Section 13.1, is
22 amended to read as follows:

23 Section 13.1 Persons convicted of:

24 1. First degree murder as defined in Section 701.7 of this
 title;

1 2. Second degree murder as defined by Section 701.8 of this
2 title;

3 3. Manslaughter in the first degree as defined by Section 711
4 of this title;

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

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

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

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

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

17 9. First degree robbery as defined in Section 797 of this
18 title;

19 10. First degree rape as provided for in Section 1115 of this
20 title;

21 11. First degree arson as defined in Section 1401 of this
22 title;

23 12. First degree burglary as provided for in Section 1436 of
24 this title;

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

2 14. Any crime against a child provided for in Section 843.5 of
3 this title;

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

5 16. Child pornography as defined in Section 1021.2, 1021.3 or
6 1024.1 of this title;

7 17. Child prostitution as defined in Section 1030 of this
8 title;

9 18. Lewd molestation of a child as defined in Section 1123 of
10 this title;

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

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

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

1 apply the accumulated credits after eighty-five percent (85%) of the
2 sentence imposed has been served. The person shall be eligible for
3 immediate discharge if the sum of earned credits and service time
4 equals the total sentence length. The granting of earned credits
5 shall be at the discretion of the Director based on the criteria
6 provided for in Section 138 of Title 57 of the Oklahoma Statutes.

7 SECTION 3. This act shall become effective November 1, 2014.
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9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/19/2014 - DO
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