

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB3159

By: Hickman of the House and Griffin of the Senate

Title: Crimes and punishments; requiring placement of persons on parole docket under certain circumstances; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Allen _____
 Anderson _____
 Barrington _____
 Bass _____
 Bice _____
 Boggs _____
 Brecheen _____
 Brooks _____
 Brown _____
 Crain _____
 Dahm _____
 David _____
 Dossett _____
 Fields _____
 Floyd _____
 Ford _____
 Fry _____
 Garrison _____
 Griffin _____
 Halligan _____
 Holt _____
 Jech _____
 Jolley _____
 Justice _____

Loveless _____
 Marlatt _____
 Matthews _____
 Mazzei _____
 Newberry _____
 Paddock _____
 Pittman _____
 Quinn _____
 Sharp _____
 Shaw _____
 Shortey _____
 Silk _____
 Simpson _____
 Smalley _____
 Sparks _____
 Standridge _____
 Stanislawski _____
 Sykes _____
 Thompson _____
 Treat _____
 Wyrick _____
 Yen _____

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 3159

By: Hickman and Peterson of the
House

and

Griffin of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; amending
21 O.S. 2011, Section 13.1, as last amended by
Section 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp.
2015, Section 13.1), which relates to required
service of prison sentence for certain crimes;
providing time limitation for placing persons on
parole docket; modifying eligibility requirements for
accumulating earned credits; providing guidelines for
applying earned credits; giving Director of
Department of Corrections discretionary authority
over granting 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
last amended by Section 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp.
2015, Section 13.1), is amended to read as follows:

Section 13.1 A. Persons convicted of:

- 1 1. First degree murder as defined in Section 701.7 of this
2 title;
- 3 2. Second degree murder as defined by Section 701.8 of this
4 title;
- 5 3. Manslaughter in the first degree as defined by Section 711
6 of this title;
- 7 4. Poisoning with intent to kill as defined by Section 651 of
8 this title;
- 9 5. Shooting with intent to kill, use of a vehicle to facilitate
10 use of a firearm, crossbow or other weapon, assault, battery, or
11 assault and battery with a deadly weapon or by other means likely to
12 produce death or great bodily harm, as provided for in Section 652
13 of this title;
- 14 6. Assault with intent to kill as provided for in Section 653
15 of this title;
- 16 7. Conjoint robbery as defined by Section 800 of this title;
- 17 8. Robbery with a dangerous weapon as defined in Section 801 of
18 this title;
- 19 9. First degree robbery as defined in Section 797 of this
20 title;
- 21 10. First degree rape as provided for in Section 1111, 1114 or
22 1115 of this title;
- 23 11. First degree arson as defined in Section 1401 of this
24 title;

1 12. First degree burglary as provided for in Section 1436 of
2 this title;

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

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

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

7 16. Child pornography or aggravated child pornography as
8 defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of
9 this title;

10 17. Child prostitution as defined in Section 1030 of this
11 title;

12 18. Lewd molestation of a child as defined in Section 1123 of
13 this title;

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

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

19 21. Aggravated assault and battery upon any person defending
20 another person from assault and battery; or

21 22. Human trafficking as provided for in Section 748 of this
22 title,
23 shall be required to serve not less than eighty-five percent (85%)
24 of any sentence of imprisonment imposed by the judicial system prior

1 to becoming eligible for consideration for parole. Not less than
2 sixty (60) days prior to the person serving eighty-five percent
3 (85%) of the sentence imposed, the person shall be placed on the
4 first available parole docket of the Pardon and Parole Board.

5 B. Persons convicted of ~~these~~ the offenses listed in subsection
6 A of this section shall ~~not~~ be eligible ~~for~~ to receive and
7 accumulate earned credits or any other type of credits ~~which have~~
8 ~~the effect of reducing the length of while serving~~ the sentence ~~to~~
9 ~~less than~~ of imprisonment. In no instance shall the number of
10 earned credits accumulated by a person exceed five percent (5%) of
11 the total number of days of the prison sentence of the person. The
12 Department of Corrections may apply the accumulated credits after
13 eighty-five percent (85%) of the sentence imposed has been served;
14 provided, however, in no instance shall the application of earned
15 credits result in the immediate discharge of the person from
16 custody. The granting of earned credits shall be at the discretion
17 of the Director of the Department of Corrections based on the
18 criteria provided for in Section 138 of Title 57 of the Oklahoma
19 Statutes.

20 SECTION 2. This act shall become effective November 1, 2016.

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22 55-2-9947 GRS 05/09/16
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