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February 28, 2018

AS AMENDED

SENATE BILL NO. 995

By: Pemberton of the Senate

and

Frix of the House

[medals of valor - punishment for impersonating -
criminal offense - penalties - effective date]

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

SECTION 1. AMENDATORY 72 O.S. 2011, Section 6-1, as amended by Section 1, Chapter 188, O.S.L. 2016 (72 O.S. Supp. 2017, Section 6-1), is amended to read as follows:

Section 6-1. A. Any person who knowingly with intent to impersonate and with intent to deceive, misrepresents himself or herself as a member or veteran of the United States Armed Forces by wearing any decoration or medal authorized by the Congress of the United States for the Armed Forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration or medal, or any colorable imitation thereof, except when authorized under regulations as authorized by the applicable federal law, shall be guilty of a misdemeanor and shall be fined One Thousand Dollars

1 (\$1,000.00) or be imprisoned in the county jail for a period of not
2 more than six (6) months or both.

3 B. If a decoration or medal involved in an offense under
4 subsection A of this section is a Congressional Medal of Honor, the
5 offender shall upon conviction be guilty of a felony and fined an
6 amount not to exceed Five Thousand Dollars (\$5,000.00) or be
7 imprisoned in the county jail for a period of not more than one (1)
8 year, or both.

9 C. If a person presents any falsified or altered document as
10 proof of service or authorization for decoration or medal, such
11 person shall be guilty of a felony and fined an amount not to exceed
12 Five Thousand Dollars (\$5,000.00) or be imprisoned in the county
13 jail for a period of not more than one (1) year.

14 D. Any person who knowingly and willfully makes a false or
15 fraudulent claim to be a recipient of awards, medals, ribbons,
16 decorations and/or badges which were conferred for valor, heroism
17 and/or combat service in order to obtain compensation, benefits or
18 services of any value shall be guilty of a misdemeanor and shall be
19 fined One Thousand Dollars (\$1,000.00) or imprisoned in the county
20 jail for a period of not more than six (6) months or both.

21 E. Any person who knowingly and willfully makes a false or
22 fraudulent claim to be a recipient of awards, medals, ribbons,
23 decorations and/or badges which were conferred for valor, heroism
24 and/or combat service in order to gain employment with any business,

1 entity or establishment which, under its hiring policies, grant
2 favorable credit or qualifications to those persons who list prior
3 military service on their resume, shall be guilty of a misdemeanor
4 and shall be fined One Thousand Dollars (\$1,000.00) or imprisoned in
5 the county jail for a period of not more than six (6) months or
6 both.

7 F. Any person who knowingly and willfully makes a false or
8 fraudulent claim to be a recipient of awards, medals, ribbons,
9 decorations and/or badges which were conferred for valor, heroism
10 and/or combat service in order to obtain services, merchandise
11 and/or any valuable item at reduced, discounted or no monetary
12 expenditure, shall be guilty of a misdemeanor and shall be fined One
13 Thousand Dollars (\$1,000.00) or imprisoned in the county jail for a
14 period of not more than six (6) months or both.

15 G. Any person convicted of subsequent violations of this
16 section shall be guilty of a felony and fined an amount not to
17 exceed Five Thousand Dollars (\$5,000.00) or imprisoned in the county
18 jail for a period of not more than one (1) year.

19 SECTION 2. This act shall become effective November 1, 2018.

20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
21 February 28, 2018 - DO PASS AS AMENDED
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