

SENATE FLOOR VERSION

February 27, 2019

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 112

By: Young of the Senate

and

Virgin of the House

[crimes and punishments - sentences for juveniles -
mitigating circumstances - codification - effective
date]

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 69 of Title 21, unless there is
created a duplication in numbering, reads as follows:

A. The following sentences shall not be imposed on any person
who was less than sixteen (16) years of age at the time the criminal
offense was committed:

1. Life imprisonment without the possibility of parole; or
2. A mandatory minimum sentence carrying a term of imprisonment
that exceeds twenty (20) years.

B. In addition to other factors required by law to be
considered prior to imposition of a sentence, when determining the

1 appropriate sentence for a person who has been certified as an adult
2 pursuant to certification procedures authorized in the Oklahoma
3 Juvenile Code and who has been subsequently tried and convicted of a
4 felony offense as an adult, the court shall consider the following
5 mitigating circumstances:

6 1. Age at the time of the offense;

7 2. Level of maturity and the ability to appreciate the risks
8 and consequences of the conduct;

9 3. Culpability;

10 4. Family and community environment;

11 5. Intellectual capacity;

12 6. Peer or familial pressure;

13 7. Ability to participate meaningfully in his or her defense;

14 8. Capacity for rehabilitation;

15 9. School records and special education evaluations;

16 10. Trauma history;

17 11. Community involvement;

18 12. Involvement in the child welfare system; and

19 13. Any other mitigating factors or circumstances.

20 SECTION 2. This act shall become effective November 1, 2019.

21 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
22 February 27, 2019 - DO PASS AS AMENDED
23
24