

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 3500

By: McEntire

COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; amending
21 O.S. 2021, Section 650.7, which relates to
penalties for assault and battery upon a school
employee; modifying penalties; updating language for
certain notice; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 650.7, is
amended to read as follows:

Section 650.7 A. As used in this section, "school employee"
means a teacher, principal, or any duly appointed person employed by
a school system or employees of a firm contracting with a school
system for any purpose, including any personnel not directly related
to the teaching process and school board members during school board
meetings.

B. Any person who, without justifiable or excusable cause,
commits any assault, battery, or assault and battery upon the person

1 of a school employee while such employee is in the performance of
2 any duties as a school employee or upon any student while such
3 student is participating in any school activity or attending classes
4 on school property during school hours ~~shall~~ may, upon conviction,
5 be guilty of a ~~misdemeanor~~. ~~The convicted person shall be punished~~
6 felony punishable by a term of imprisonment in the ~~county jail~~
7 custody of the Department of Corrections for a period not exceeding
8 ~~one (1) year~~ two (2) years, or by a fine not exceeding Two Thousand
9 Dollars (\$2,000.00), or by both such fine and imprisonment.

10 C. Any person who, without justifiable or excusable cause,
11 commits any aggravated battery or aggravated assault and battery
12 upon the person of a school employee while such employee is in the
13 performance of any duties as a school employee shall, upon
14 conviction, be guilty of a felony punishable by a term of
15 imprisonment in the ~~State Penitentiary~~ custody of the Department of
16 Corrections for a period not exceeding ~~two (2)~~ five (5) years, or by
17 a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both
18 such fine and imprisonment.

19 D. Every school site shall post in a prominent place a notice
20 having the following or similar language: "FELONY CHARGES MAY BE
21 FILED AGAINST ANY PERSON(S) COMMITTING AN ASSAULT, BATTERY, ASSAULT
22 AND BATTERY, AGGRAVATED BATTERY, OR AGGRAVATED ASSAULT OR AND
23 BATTERY UPON ANY SCHOOL EMPLOYEE."
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1 E. For purposes of this section, "assault" shall be defined by
2 Section 641 of ~~Title 21 of the Oklahoma Statutes~~ this title,
3 "battery" shall be defined by Section 642 of ~~Title 21 of the~~
4 ~~Oklahoma Statutes~~ this title, and "aggravated assault and battery"
5 shall be defined by Section 646 of ~~Title 21 of the Oklahoma Statutes~~
6 this title.

7 SECTION 2. This act shall become effective November 1, 2022.

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