

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE BILL 303

By: Young

AS INTRODUCED

An Act relating to homicide; amending 21 O.S. 2011, Section 701.12, which relates to aggravating circumstances; modifying elements of aggravating circumstances; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 701.12, is amended to read as follows:

Section 701.12. Aggravating circumstances shall be:

1. The defendant ~~was previously convicted of a felony involving the use or threat of violence to the person~~ is convicted of first degree murder of two or more persons;

2. The defendant ~~knowingly created a great risk of death to more than one person~~ body of the victim was mutilated during or after the commission of the murder by the defendant;

3. The person ~~committed the murder for remuneration or the promise of remuneration or employed another to commit the murder for remuneration or the promise of remuneration~~ victim was raped or

1 sexually assaulted by the defendant during the commission of the
2 murder;

3 4. ~~The murder was especially heinous, atrocious, or cruel~~
4 victim of the murder was particularly vulnerable because of youth,
5 old age or infirmity;

6 5. ~~The murder was committed for the purpose of avoiding or~~
7 ~~preventing a lawful arrest or prosecution~~ defendant is convicted of
8 murdering the victim because of the victims' race, color, religion,
9 ancestry, national origin or disability;

10 6. The murder was committed by a person while serving a
11 sentence of imprisonment on conviction of a felony; or

12 7. ~~The existence of a probability that the defendant would~~
13 ~~commit criminal acts of violence that would constitute a continuing~~
14 ~~threat to society; or~~

15 ~~8.~~ The victim of the murder was a peace officer as defined by
16 Section 99 of this title, or correctional employee of an institution
17 under the control of the Department of Corrections, and such person
18 was killed while in performance of official duty.

19 SECTION 2. This act shall become effective November 1, 2021.

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