

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3767

By: Burns and **Cantrell**

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to crimes and punishments; making
10 certain acts unlawful; providing penalties; defining
11 terms; providing for codification; and providing an
12 effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 650.12 of Title 21, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Any person who, without justifiable or excusable cause,
18 commits any assault, battery, or assault and battery upon the person
19 of a county employee while such county employee is in the
20 performance of his or her duties shall, upon conviction, be guilty
21 of a misdemeanor punishable by a term of imprisonment in the county
22 jail for a period not exceeding one (1) year, or by a fine not
23 exceeding One Thousand Dollars (\$1,000.00), or by both such fine and
24 imprisonment.

1 B. Any person who, without justifiable or excusable cause,
2 commits any aggravated battery or aggravated assault and battery
3 upon the person of a county employee while such county employee is
4 in the performance of his or her duties shall, upon conviction, be
5 guilty of a felony punishable by a term of imprisonment in the
6 custody of the Department of Corrections for a period not exceeding
7 two (2) years, or by a fine not exceeding Two Thousand Dollars
8 (\$2,000.00), or by both such fine and imprisonment.

9 C. For purposes of this section:

10 1. "Aggravated assault and battery" shall have the same meaning
11 as such term is defined by Section 646 of Title 21 of the Oklahoma
12 Statutes;

13 2. "Assault" shall have the same meaning as such term is
14 defined in Section 641 of Title 21 of the Oklahoma Statutes;

15 3. "Battery" shall have the same meaning as such term is
16 defined by Section 642 of Title 21 of the Oklahoma Statutes; and

17 4. "County employee" means an employee of the county, any duly
18 appointed person employed by a county, or employees of a firm
19 contracting with a county.

20 SECTION 2. This act shall become effective November 1, 2024.

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22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
23 02/29/2024 - DO PASS, As Amended and Coauthored.

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