

1 ENGROSSED HOUSE
2 BILL NO. 3992

By: Fetgatter, Sims, Conley,
and Bashore of the House

3 and

4 Gollihare of the Senate

5
6
7 [sex crimes - Knights Law - full sentences - earned
8 credits - required minimum sentences - human
9 trafficking - child abuse - Oklahoma Law on
10 Obscenity and Child Pornography - first degree rape
11 - penalties - persons authorized to take bail -
12 rebuttable presumption - credits for good conduct -
13 noncodification - codification - effective date]

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

17 SECTION 1. NEW LAW A new section of law not to be
18 codified in the Oklahoma Statutes reads as follows:

19 Sections 1 through 14 of this act shall be known and may be
20 cited as "Knights Law".

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 13.2 of Title 21, unless there
23 is created a duplication in numbering, reads as follows:

24 Persons convicted of:

1 1. Rape in the first degree as provided for in Section 1111,
2 1114, or 1115 of Title 21 of the Oklahoma Statutes;

3 2. Child sexual abuse as provided for in subsection E or F of
4 Section 843.5 of Title 21 of the Oklahoma Statutes;

5 3. Lewd or indecent proposals or acts to a child as provided
6 for in subsection A of Section 1123 of Title 21 of the Oklahoma
7 Statutes;

8 4. Child pornography or aggravated child pornography as
9 provided for in Section 1021.2, 1021.3, 1024.1, 1024.2, or 1040.12a
10 of Title 21 of the Oklahoma Statutes;

11 5. Child prostitution as provided for in Section 1031 of Title
12 21 of the Oklahoma Statutes; or

13 6. Human trafficking of a minor for commercial sex as provided
14 for in Section 748 of Title 21 of the Oklahoma Statutes,
15 shall be required to serve not less than one hundred percent (100%)
16 of any sentence of imprisonment imposed by the judicial system.

17 Persons convicted of these offenses shall not be eligible for earned
18 credits or any other type of credits which have the effect of
19 reducing the length of the sentence to less than one hundred percent
20 (100%) of the sentence imposed.

21 SECTION 3. AMENDATORY 21 O.S. 2021, Section 13.1, is
22 amended to read as follows:

23 Section 13.1 Persons convicted of:
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- 1 1. First degree murder as defined in Section 701.7 of this
2 title;
- 3 2. Second degree murder as defined by Section 701.8 of this
4 title;
- 5 3. Manslaughter in the first degree as defined by Section 711
6 of this title;
- 7 4. Poisoning with intent to kill as defined by Section 651 of
8 this title;
- 9 5. Shooting with intent to kill, use of a vehicle to facilitate
10 use of a firearm, crossbow or other weapon, assault, battery, or
11 assault and battery with a deadly weapon or by other means likely to
12 produce death or great bodily harm, as provided for in Section 652
13 of this title;
- 14 6. Assault with intent to kill as provided for in Section 653
15 of this title;
- 16 7. Conjoint robbery as defined by Section 800 of this title;
- 17 8. Robbery with a dangerous weapon as defined in Section 801 of
18 this title;
- 19 9. First degree robbery as defined in Section 797 of this
20 title;
- 21 10. ~~First degree rape as provided for in Section 1111, 1114 or~~
22 ~~1115 of this title;~~
- 23 11. First degree arson as defined in Section 1401 of this
24 title;

1 ~~12.~~ 11. First degree burglary as provided for in Section 1436
2 of this title;

3 ~~13.~~ 12. Bombing as defined in Section 1767.1 of this title;

4 ~~14.~~ Any 13. Except for the crime of child sexual abuse, any
5 crime against a child provided for in Section 843.5 of this title;

6 ~~15.~~ 14. Forcible sodomy as defined in Section 888 of this
7 title;

8 ~~16.~~ ~~Child pornography or aggravated child pornography as~~
9 ~~defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of~~
10 ~~this title;~~

11 ~~17.~~ ~~Child prostitution as defined in Section 1030 of this~~
12 ~~title;~~

13 ~~18.~~ ~~Lewd molestation of a child as defined in Section 1123 of~~
14 ~~this title;~~

15 ~~19.~~ 15. Abuse of a vulnerable adult as defined in Section 10-
16 103 of Title 43A of the Oklahoma Statutes;

17 ~~20.~~ 16. Aggravated trafficking as provided for in subsection C
18 of Section 2-415 of Title 63 of the Oklahoma Statutes;

19 ~~21.~~ 17. Aggravated assault and battery upon any person
20 defending another person from assault and battery; or

21 ~~22.~~ ~~Human~~ 18. Except for the crime of human trafficking of a
22 minor for commercial sex, human trafficking as provided for in
23 Section 748 of this title,

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1 shall be required to serve not less than eighty-five percent (85%)
2 of any sentence of imprisonment imposed by the judicial system prior
3 to becoming eligible for consideration for parole. Persons
4 convicted of these offenses shall not be eligible for earned credits
5 or any other type of credits which have the effect of reducing the
6 length of the sentence to less than eighty-five percent (85%) of the
7 sentence imposed.

8 SECTION 4. AMENDATORY 21 O.S. 2021, Section 748, as
9 amended by Section 1, Chapter 20, O.S.L. 2022 (21 O.S. Supp. 2023,
10 Section 748), is amended to read as follows:

11 Section 748. A. As used in Sections 748 and 748.2 of this
12 title:

13 1. "Coercion" means compelling, forcing or intimidating a
14 person to act by:

15 a. threats of harm or physical restraint against any
16 person,

17 b. any act, scheme, plan, or pattern intended to cause a
18 person to believe that performing, or failing to
19 perform, an act would result in serious physical,
20 financial, or emotional harm or distress to or
21 physical restraint against any person,

22 c. the abuse or threatened abuse of the law or legal
23 process,

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- 1 d. knowingly destroying, concealing, removing,
2 confiscating or possessing any actual or purported
3 passport, labor or immigration document, or other
4 government identification document, including but not
5 limited to a driver license or birth certificate, of
6 another person,
- 7 e. facilitating or controlling a person's access to any
8 addictive or controlled substance other than for legal
9 medical purposes,
- 10 f. blackmail,
- 11 g. demanding or claiming money, goods, or any other thing
12 of value from or on behalf of a prostituted person
13 where such demand or claim arises from or is directly
14 related to the act of prostitution,
- 15 h. determining, dictating or setting the times at which
16 another person will be available to engage in an act
17 of prostitution with a third party,
- 18 i. determining, dictating or setting the places at which
19 another person will be available for solicitation of,
20 or to engage in, an act of prostitution with a third
21 party, or
- 22 j. determining, dictating or setting the places at which
23 another person will reside for purposes of making such
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1 person available to engage in an act of prostitution
2 with a third party;

3 2. "Commercial sex" means any form of commercial sexual
4 activity such as sexually explicit performances, prostitution,
5 participation in the production of pornography, performance in a
6 strip club, or exotic dancing or display;

7 3. "Debt bondage" means the status or condition of a debtor
8 arising from a pledge by the debtor of his or her personal services
9 or of those of a person under his or her control as a security for
10 debt if the value of those services as reasonably assessed is not
11 applied toward the liquidation of the debt or the length and nature
12 of those services are not respectively limited and defined;

13 4. "Human trafficking" means modern-day slavery that includes,
14 but is not limited to, extreme exploitation and the denial of
15 freedom or liberty of an individual for purposes of deriving benefit
16 from that individual's commercial sex act or labor;

17 5. "Human trafficking for labor" means:

- 18 a. recruiting, enticing, harboring, maintaining,
19 transporting, providing or obtaining, by any means,
20 another person through deception, force, fraud, threat
21 or coercion or for purposes of engaging the person in
22 labor, or
23
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1 b. benefiting, financially or by receiving anything of
2 value, from participation in a venture that has
3 engaged in an act of trafficking for labor;

4 6. "Human trafficking for commercial sex" means:

5 a. recruiting, enticing, harboring, maintaining,
6 transporting, providing or obtaining, by any means,
7 another person through deception, force, fraud, threat
8 or coercion for purposes of engaging the person in a
9 commercial sex act,

10 b. recruiting, enticing, harboring, maintaining,
11 transporting, providing, purchasing or obtaining, by
12 any means, a minor for purposes of engaging the minor
13 in a commercial sex act, or

14 c. benefiting, financially or by receiving anything of
15 value, from participating in a venture that has
16 engaged in an act of trafficking for commercial sex;

17 7. "Legal process" means the criminal law, the civil law, or
18 the regulatory system of the federal government, any state,
19 territory, district, commonwealth, or trust territory therein, and
20 any foreign government or subdivision thereof and includes legal
21 civil actions, criminal actions, and regulatory petitions or
22 applications;

23 8. "Minor" means an individual under eighteen (18) years of
24 age; and

1 9. "Victim" means a person against whom a violation of any
2 provision of this section has been committed.

3 B. It shall be unlawful to knowingly engage in human
4 trafficking.

5 C. 1. Any person violating the provisions of this section
6 shall, upon conviction, be guilty of a felony punishable by
7 imprisonment in the custody of the Department of Corrections for a
8 term of not less than five (5) years or for life, or by a fine of
9 not more than One Hundred Thousand Dollars (\$100,000.00), or by both
10 such fine and imprisonment.

11 2. Any person violating the provisions of this section where
12 the victim of the offense of human trafficking for labor is under
13 eighteen (18) years of age at the time of the offense shall, upon
14 conviction, be guilty of a felony punishable by imprisonment in the
15 custody of the Department of Corrections for a term of not less than
16 fifteen (15) years or for life, or by a fine of not more than Two
17 Hundred Fifty Thousand Dollars (\$250,000.00), or by both such fine
18 and imprisonment.

19 3. Any person violating the provisions of this section where
20 the victim of the offense of human trafficking for commercial sex is
21 under eighteen (18) years of age at the time of the offense shall,
22 upon conviction, be guilty of a felony punishable by imprisonment in
23 the custody of the Department of Corrections for a term of not less
24 than twenty (20) years up to a term of life without parole.

1 4. The court shall also order the defendant to pay restitution
2 to the victim as provided in Section 991f of Title 22 of the
3 Oklahoma Statutes.

4 5. If the person is convicted of human trafficking, the person
5 shall serve eighty-five percent (85%) of the sentence before being
6 eligible for parole consideration or any earned credits. If the
7 person is convicted of human trafficking of a minor for commercial
8 sex, the person shall serve not less than one hundred percent (100%)
9 of the sentence imposed.

10 6. The terms of imprisonment specified in this subsection shall
11 not be subject to statutory provisions for suspension, deferral or
12 probation, or state correctional institution earned credits accruing
13 from and after November 1, 1989, except for the achievement earned
14 credits authorized by subsection H of Section 138 of Title 57 of the
15 Oklahoma Statutes. To qualify for such achievement earned credits,
16 such inmates must also be in compliance with the standards for Class
17 level 2 behavior, as defined in subsection D of Section 138 of Title
18 57 of the Oklahoma Statutes.

19 D. It is an affirmative defense to prosecution for a criminal,
20 youthful offender, or delinquent offense that, during the time of
21 the alleged commission of the offense, the defendant or alleged
22 youthful offender or delinquent was a victim of human trafficking.

23 E. The consent of a victim to the activity prohibited by this
24 section shall not constitute a defense.

1 F. Lack of knowledge of the age of the victim shall not
2 constitute a defense to the activity prohibited by this section with
3 respect to human trafficking of a minor.

4 SECTION 5. AMENDATORY 21 O.S. 2021, Section 843.5, is
5 amended to read as follows:

6 Section 843.5 A. Any person who shall willfully or maliciously
7 engage in child abuse, as defined in this section, shall, upon
8 conviction, be guilty of a felony punishable by imprisonment in the
9 custody of the Department of Corrections not exceeding life
10 imprisonment, or by imprisonment in a county jail not exceeding one
11 (1) year, or by a fine of not less than Five Hundred Dollars
12 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both
13 such fine and imprisonment.

14 B. Any person responsible for the health, safety or welfare of
15 a child who shall willfully or maliciously engage in enabling child
16 abuse, as defined in this section, shall, upon conviction, be
17 punished by imprisonment in the custody of the Department of
18 Corrections not exceeding life imprisonment, or by imprisonment in a
19 county jail not exceeding one (1) year, or by a fine of not less
20 than Five Hundred Dollars (\$500.00) nor more than Five Thousand
21 Dollars (\$5,000.00), or both such fine and imprisonment.

22 C. Any person responsible for the health, safety or welfare of
23 a child who shall willfully or maliciously engage in child neglect,
24 as defined in this section, shall, upon conviction, be punished by

1 imprisonment in the custody of the Department of Corrections not
2 exceeding life imprisonment, or by imprisonment in a county jail not
3 exceeding one (1) year, or by a fine of not less than Five Hundred
4 Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00),
5 or both such fine and imprisonment.

6 D. Any parent or other person who shall willfully or
7 maliciously engage in enabling child neglect shall, upon conviction,
8 be punished by imprisonment in the custody of the Department of
9 Corrections not exceeding life imprisonment, or by imprisonment in a
10 county jail not exceeding one (1) year, or by a fine of not less
11 than Five Hundred Dollars (\$500.00) nor more than Five Thousand
12 Dollars (\$5,000.00), or both such fine and imprisonment.

13 E. 1. Any person responsible for the health, safety or welfare
14 of a child who shall willfully or maliciously engage in child sexual
15 abuse, as defined in subparagraphs a through d of paragraph 3 of
16 subsection N of this section, shall, upon conviction, be punished by
17 imprisonment in the custody of the Department of Corrections ~~not~~
18 ~~exceeding~~ for a term of not less than fifteen (15) years up to a
19 term of life imprisonment, ~~or by imprisonment in a county jail not~~
20 ~~exceeding one (1) year, or by a fine of not less than Five Hundred~~
21 ~~Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00),~~
22 ~~or both such fine and imprisonment, except as provided in Section~~
23 ~~51.1a of this title or as otherwise provided in subsection F of this~~
24 ~~section for a child victim under twelve (12) years of age. Except~~

1 ~~for persons sentenced to life or life without parole, any person~~
2 ~~sentenced to imprisonment for two (2) years or more for a violation~~
3 ~~of this subsection shall be required to serve a term of post-~~
4 ~~imprisonment supervision pursuant to subparagraph f of paragraph 1~~
5 ~~of subsection A of Section 991a of Title 22 of the Oklahoma Statutes~~
6 ~~under conditions determined by the Department of Corrections. The~~
7 ~~jury shall be advised that the mandatory post-imprisonment~~
8 ~~supervision shall be in addition to the actual imprisonment.~~

9 ~~F. 2.~~ Any person responsible for the health, safety or welfare
10 of a child who shall willfully or maliciously engage in child sexual
11 abuse, as defined in subparagraph e of paragraph 3 of subsection N
12 of this section, ~~to a child under twelve (12) years of age shall,~~
13 upon conviction, be punished by imprisonment in the custody of the
14 Department of Corrections for a term of not less than ~~twenty-five~~
15 ~~(25)~~ ten (10) years nor more than up to a term of life imprisonment,
16 ~~and by a fine of not less than Five Hundred Dollars (\$500.00) nor~~
17 ~~more than Five Thousand Dollars (\$5,000.00).~~

18 ~~G. F.~~ Any parent or other person who shall willfully or
19 maliciously engage in enabling child sexual abuse shall, upon
20 conviction, be punished by imprisonment in the custody of the
21 Department of Corrections not exceeding life imprisonment, or by
22 imprisonment in a county jail not exceeding one (1) year, or by a
23 fine of not less than Five Hundred Dollars (\$500.00) nor more than
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1 Five Thousand Dollars (\$5,000.00), or both such fine and
2 imprisonment.

3 ~~H.~~ G. Any person who shall willfully or maliciously engage in
4 child sexual exploitation, as defined in this section, shall, upon
5 conviction, be punished by imprisonment in the custody of the
6 Department of Corrections not exceeding life imprisonment, or by
7 imprisonment in a county jail not exceeding one (1) year, or by a
8 fine of not less than Five Hundred Dollars (\$500.00) nor more than
9 Five Thousand Dollars (\$5,000.00), or both such fine and
10 imprisonment except as provided in subsection I of this section for
11 a child victim under twelve (12) years of age. Except for persons
12 sentenced to life or life without parole, any person sentenced to
13 imprisonment for two (2) years or more for a violation of this
14 subsection shall be required to serve a term of post-imprisonment
15 supervision pursuant to subparagraph f of paragraph 1 of subsection
16 A of Section 991a of Title 22 of the Oklahoma Statutes under
17 conditions determined by the Department of Corrections. The jury
18 shall be advised that the mandatory post-imprisonment supervision
19 shall be in addition to the actual imprisonment.

20 ~~H.~~ H. Any person who shall willfully or maliciously engage in
21 child sexual exploitation, as defined in this section, of a child
22 under twelve (12) years of age shall, upon conviction, be punished
23 by imprisonment in the custody of the Department of Corrections for
24 not less than twenty-five (25) years nor more than life

1 imprisonment, and by a fine of not less than Five Hundred Dollars
2 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00).

3 ~~J.~~ I. Any person responsible for the health, safety or welfare
4 of a child who shall willfully or maliciously engage in enabling
5 child sexual exploitation, as defined in this section, shall, upon
6 conviction, be punished by imprisonment in the custody of the
7 Department of Corrections not exceeding life imprisonment, or by
8 imprisonment in a county jail not exceeding one (1) year, or by a
9 fine of not less than Five Hundred Dollars (\$500.00) nor more than
10 Five Thousand Dollars (\$5,000.00), or both such fine and
11 imprisonment.

12 ~~K.~~ J. Notwithstanding any other provision of law, any person
13 convicted of forcible anal or oral sodomy, rape, rape by
14 instrumentation, or lewd molestation of a child under fourteen (14)
15 years of age subsequent to a previous conviction for any offense of
16 forcible anal or oral sodomy, rape, rape by instrumentation, or lewd
17 molestation of a child under fourteen (14) years of age shall be
18 punished by death or by imprisonment for life without parole.

19 ~~L.~~ K. Provided, however, that nothing contained in this section
20 shall prohibit any parent or guardian from using reasonable and
21 ordinary force pursuant to Section 844 of this title.

22 ~~M.~~ L. Consent shall not be a defense for any violation provided
23 for in this section.

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1 ~~N.~~ M. Notwithstanding the age requirements of other statutes
2 referenced within this section, this section shall apply to any
3 child under eighteen (18) years of age.

4 ~~O.~~ N. As used in this section:

5 1. "Child abuse" means:

6 a. the willful or malicious harm or threatened harm or
7 failure to protect from harm or threatened harm to the
8 health, safety or welfare of a child under eighteen
9 (18) years of age by a person responsible for a
10 child's health, safety or welfare, or

11 b. the act of willfully or maliciously injuring,
12 torturing or maiming a child under eighteen (18) years
13 of age by any person;

14 2. "Child neglect" means the willful or malicious neglect, as
15 defined by Section 1-1-105 of Title 10A of the Oklahoma Statutes, of
16 a child under eighteen (18) years of age by a person responsible for
17 a child's health, safety or welfare;

18 3. "Child sexual abuse" means the willful or malicious sexual
19 abuse of a child under eighteen (18) years of age by a person
20 responsible for a child's health, safety or welfare and includes,
21 but is not limited to:

22 a. sexual intercourse,
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- b. penetration of the vagina or anus, however slight, by an inanimate object or any part of the human body not amounting to sexual intercourse,
- c. sodomy,
- d. incest, or
- e. a lewd act or proposal, as defined in this section;

4. "Child sexual exploitation" means the willful or malicious sexual exploitation of a child under eighteen (18) years of age by another and includes, but is not limited to:

- a. human trafficking, as provided for in Section 748 of this title, if the offense involved child trafficking for commercial sex,
- b. trafficking in children, as provided for in Section 866 of this title, if the offense was committed for the sexual gratification of any person,
- c. procuring or causing the participation of a minor in child pornography, as provided for in Section 1021.2 of this title,
- d. purchase, procurement or possession of child pornography, as provided for in Section 1024.2 of this title,
- e. engaging in or soliciting prostitution, as provided for in Section 1029 of this title, if the offense involved child prostitution,

- 1 f. publication, distribution or participation in the
2 preparation of obscene material, as provided for in
3 Section 1040.8 of this title, if the offense involved
4 child pornography,
- 5 g. aggravated possession of child pornography, as
6 provided for in Section 1040.12a of this title,
- 7 h. sale or distribution of obscene material, as provided
8 for in Section 1040.13 of this title,
- 9 i. soliciting sexual conduct or communication with a
10 minor by use of technology, as provided for in Section
11 ~~1043.13a~~ 1040.13a of this title,
- 12 j. offering or transporting a child for purposes of
13 prostitution, as provided for in Section 1087 of this
14 title, and
- 15 k. child prostitution, as provided for in Section 1088 of
16 this title;

17 5. "Enabling child abuse" means the causing, procuring or
18 permitting of child abuse by a person responsible for a child's
19 health, safety or welfare;

20 6. "Enabling child neglect" means the causing, procuring or
21 permitting of child neglect by a person responsible for a child's
22 health, safety or welfare;

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1 7. "Enabling child sexual abuse" means the causing, procuring
2 or permitting of child sexual abuse by a person responsible for a
3 child's health, safety or welfare;

4 8. "Enabling child sexual exploitation" means the causing,
5 procuring or permitting of child sexual exploitation by a person
6 responsible for a child's health, safety or welfare;

7 9. "Incest" means marrying, committing adultery or fornicating
8 with a child by a person responsible for the health, safety or
9 welfare of a child;

10 10. "Lewd act or proposal" means:

- 11 a. making any oral, written or electronic or computer-
12 generated lewd or indecent proposal to a child for the
13 child to have unlawful sexual relations or sexual
14 intercourse with any person,
- 15 b. looking upon, touching, mauling or feeling the body or
16 private parts of a child in a lewd or lascivious
17 manner or for the purpose of sexual gratification,
- 18 c. asking, inviting, enticing or persuading any child to
19 go alone with any person to a secluded, remote or
20 secret place for a lewd or lascivious purpose,
- 21 d. urinating or defecating upon a child or causing,
22 forcing or requiring a child to defecate or urinate
23 upon the body or private parts of another person for
24 the purpose of sexual gratification,

- e. ejaculating upon or in the presence of a child,
- f. causing, exposing, forcing or requiring a child to look upon the body or private parts of another person for the purpose of sexual gratification,
- g. causing, forcing or requiring any child to view any obscene materials, child pornography or materials deemed harmful to minors as such terms are defined in Sections 1024.1 and 1040.75 of this title,
- h. causing, exposing, forcing or requiring a child to look upon sexual acts performed in the presence of the child for the purpose of sexual gratification, or
- i. causing, forcing or requiring a child to touch or feel the body or private parts of the child or another person for the purpose of sexual gratification;

11. "Permit" means to authorize or allow for the care of a child by an individual when the person authorizing or allowing such care knows or reasonably should know that the child will be placed at risk of the conduct or harm proscribed by this section;

12. "Person responsible for a child's health, safety or welfare" for purposes of this section shall include, but not be limited to:

- a. the parent of the child,
- b. the legal guardian of the child,
- c. the custodian of the child,

- d. the foster parent of the child,
- e. a person eighteen (18) years of age or older with whom the parent of the child cohabitates, who is at least three (3) years older than the child,
- f. any other person eighteen (18) years of age or older residing in the home of the child, who is at least three (3) years older than the child,
- g. an owner, operator, agent, employee or volunteer of a public or private residential home, institution, facility or day treatment program, as defined in Section 175.20 of Title 10 of the Oklahoma Statutes, that the child attended,
- h. an owner, operator, agent, employee or volunteer of a child care facility, as defined in Section 402 of Title 10 of the Oklahoma Statutes, that the child attended,
- i. an intimate partner of the parent of the child, as defined in Section 60.1 of Title 22 of the Oklahoma Statutes, or
- j. a person who has voluntarily accepted responsibility for the care or supervision of a child;

13. "Sexual intercourse" means the actual penetration, however slight, of the vagina or anus by the penis; and

14. "Sodomy" means:

- 1 a. penetration, however slight, of the mouth of the child
2 by a penis,
- 3 b. penetration, however slight, of the vagina of a person
4 responsible for a child's health, safety or welfare,
5 by the mouth of a child,
- 6 c. penetration, however slight, of the mouth of the
7 person responsible for a child's health, safety or
8 welfare by the penis of the child, or
- 9 d. penetration, however slight, of the vagina of the
10 child by the mouth of the person responsible for a
11 child's health, safety or welfare.

12 SECTION 6. AMENDATORY 21 O.S. 2021, Section 1021.2, is
13 amended to read as follows:

14 Section 1021.2 A. Any person who shall procure or cause the
15 participation of any minor under the age of eighteen (18) years in
16 any child pornography or who knowingly possesses, procures, or
17 manufactures, or causes to be sold or distributed any child
18 pornography shall be guilty, upon conviction, of a felony and shall
19 be punished by imprisonment in the custody of the Department of
20 Corrections for a term of not more less than twenty (20) five (5)
21 years or by the imposition of a fine of not more than Twenty-five
22 Thousand Dollars (\$25,000.00) or by both said fine and imprisonment.
23 Persons convicted under this section shall not be eligible for a
24 deferred sentence. Except for persons sentenced to life or up to a

1 ~~term of life without parole, any person sentenced to imprisonment~~
2 ~~for two (2) years or more for a violation of this subsection shall~~
3 ~~be required to serve a term of post-imprisonment supervision~~
4 ~~pursuant to subparagraph f of paragraph 1 of subsection A of Section~~
5 ~~991a of Title 22 of the Oklahoma Statutes under conditions~~
6 ~~determined by the Department of Corrections. The jury shall be~~
7 ~~advised that the mandatory post-imprisonment supervision shall be in~~
8 ~~addition to the actual imprisonment.~~

9 B. The consent of the minor, or of the mother, father, legal
10 guardian, or custodian of the minor to the activity prohibited by
11 this section shall not constitute a defense.

12 SECTION 7. AMENDATORY 21 O.S. 2021, Section 1021.3, is
13 amended to read as follows:

14 Section 1021.3 A. Any parent, guardian or individual having
15 custody of a minor under the age of eighteen (18) years who
16 knowingly permits or consents to the participation of a minor in any
17 child pornography shall be guilty of a felony and, upon conviction,
18 shall be imprisoned in the custody of the Department of Corrections
19 for a ~~period~~ term of not ~~more~~ less than ~~twenty (20)~~ ten (10) years
20 ~~or up to a fine of not more than Twenty-five Thousand Dollars~~
21 ~~(\$25,000.00) or by both such fine and imprisonment. Persons~~
22 ~~convicted under this section shall not be eligible for a deferred~~
23 ~~sentence. Except for persons sentenced to life or term of life~~
24 ~~without parole, any person sentenced to imprisonment for two (2)~~

1 ~~years or more for a violation of this subsection shall be required~~
2 ~~to serve a term of post-imprisonment supervision pursuant to~~
3 ~~subparagraph f of paragraph 1 of subsection A of Section 991a of~~
4 ~~Title 22 of the Oklahoma Statutes under conditions determined by the~~
5 ~~Department of Corrections. The jury shall be advised that the~~
6 ~~mandatory post-imprisonment supervision shall be in addition to the~~
7 ~~actual imprisonment.~~

8 B. The consent of the minor to the activity prohibited by this
9 section shall not constitute a defense.

10 SECTION 8. AMENDATORY 21 O.S. 2021, Section 1024.2, is
11 amended to read as follows:

12 Section 1024.2 It shall be unlawful for any person to buy,
13 procure or possess child pornography in violation of Sections 1024.1
14 through 1024.4 of this title. Such person shall, upon conviction,
15 be guilty of a felony and shall be ~~imprisoned for a period of not~~
16 ~~more than twenty (20) years or a fine up to, but not exceeding,~~
17 ~~Twenty-five Thousand Dollars (\$25,000.00) or by both such fine and~~
18 punished by imprisonment in the custody of the Department of
19 Corrections for a term of not less than five (5) years up to a term
20 of life without parole.

21 SECTION 9. AMENDATORY 21 O.S. 2021, Section 1031, as
22 amended by Section 2, Chapter 265, O.S.L. 2023 (21 O.S. Supp. 2023,
23 Section 1031), is amended to read as follows:

24

1 Section 1031. A. Except as provided in subsection B, C, D, or
2 E of this section, any person violating any of the provisions of
3 Section 1028, paragraph 1, 2, 3, or 5 of subsection A of Section
4 1029, or Section 1030 of this title shall, upon conviction, be
5 guilty of a misdemeanor and shall be punished by imprisonment in the
6 county jail for not less than thirty (30) days nor more than one (1)
7 year or by fines as follows: a fine not more than Two Thousand Five
8 Hundred Dollars (\$2,500.00) upon the first conviction for violation
9 of any of such provisions, a fine not more than Five Thousand
10 Dollars (\$5,000.00) upon the second conviction for violation of any
11 of such provisions, and a fine not more than Seven Thousand Five
12 Hundred Dollars (\$7,500.00) upon the third or subsequent convictions
13 for violation of any of such provisions, or by both such
14 imprisonment and fine. In addition, the court may require a term of
15 community service not less than forty (40) nor more than eighty (80)
16 hours. The court in which any such conviction is had shall notify
17 the county superintendent of public health of such conviction.

18 B. Any person who engages in an act of prostitution with
19 knowledge that he or she is infected with the human immunodeficiency
20 virus shall, upon conviction, be guilty of a felony punishable by
21 imprisonment in the custody of the Department of Corrections for not
22 more than five (5) years.

23 C. Any person who engages in an act of child prostitution as
24 defined in Section 1030 of this title shall, upon conviction, be

1 guilty of a felony punishable by imprisonment in the custody of the
2 Department of Corrections for a term of not more less than ten (10)
3 years ~~and by fines as follows: a fine not more than Five Thousand~~
4 ~~Dollars (\$5,000.00) upon the first conviction, a fine not more than~~
5 ~~Ten Thousand Dollars (\$10,000.00) upon the second conviction, and a~~
6 ~~fine not more than Fifteen Thousand Dollars (\$15,000.00) upon the~~
7 ~~third or subsequent convictions~~ up to a term not exceeding life
8 imprisonment.

9 D. Any person violating any of the provisions of Section 1028,
10 1029 or 1030 of this title within one thousand (1,000) feet of a
11 school or church shall, upon conviction, be guilty of a felony and
12 shall be punished by imprisonment in the custody of the Department
13 of Corrections for not more than five (5) years or by fines as
14 follows: a fine not more than Two Thousand Five Hundred Dollars
15 (\$2,500.00) upon the first conviction for violation of any of such
16 provisions, a fine not more than Five Thousand Dollars (\$5,000.00)
17 upon the second conviction for violation of any of such provisions,
18 and a fine not more than Seven Thousand Five Hundred Dollars
19 (\$7,500.00) upon the third or subsequent convictions for violation
20 of any of such provisions, or by both such imprisonment and fine.
21 In addition, the court may require a term of community service not
22 less than forty (40) nor more than eighty (80) hours. The court in
23 which any such conviction is had shall notify the county
24 superintendent of public health of such conviction.

1 E. Any person violating paragraph 4 of subsection A of Section
2 1029 of this title shall, upon conviction, be guilty of a felony and
3 shall be punished in accordance with the provisions of subsection B
4 of Section ~~3~~ 1040.57 of this ~~act~~ title.

5 SECTION 10. AMENDATORY 21 O.S. 2021, Section 1040.12a,
6 is amended to read as follows:

7 Section 1040.12a A. Any person who, with knowledge of its
8 contents, possesses one hundred (100) or more separate materials
9 depicting child pornography shall ~~be~~, upon conviction, be guilty of
10 aggravated possession of child pornography. The violator shall be
11 punished by imprisonment in the custody of the Department of
12 Corrections for a term of not exceeding less than fifteen (15) years
13 up to a term of life imprisonment and by a fine in an amount not
14 more than Ten Thousand Dollars (\$10,000.00) without parole. The
15 violator, upon conviction, shall be required to register as a sex
16 offender under the Sex Offenders Registration Act.

17 B. For purposes of this section:

18 1. Multiple copies of the same identical material shall each be
19 counted as a separate item;

20 2. The term "material" means the same definition provided by
21 Section 1040.75 of Title 21 of the Oklahoma Statutes and, in
22 addition, includes all digital and computerized images and
23 depictions; and

24

1 3. The term "child pornography" means the same definition
2 provided by Section 1040.80 of Title 21 of the Oklahoma Statutes
3 and, in addition, includes sexual conduct, sexual excitement,
4 sadomasochistic abuse, and performance of material harmful to minors
5 where a minor is present or depicted as such terms are defined in
6 Section 1040.75 of Title 21 of the Oklahoma Statutes.

7 SECTION 11. AMENDATORY 21 O.S. 2021, Section 1115, is
8 amended to read as follows:

9 Section 1115. Rape in the first degree is a felony punishable
10 by ~~death or~~ imprisonment in the custody of the Department of
11 Corrections, ~~for a term of not less than five (5) years, life or up~~
12 to a term of life without parole. ~~Except for persons sentenced to~~
13 ~~life or life without parole, any person sentenced to imprisonment~~
14 ~~for two (2) years or more for a violation of this section shall be~~
15 ~~required to serve a term of post-imprisonment supervision pursuant~~
16 ~~to subparagraph f of paragraph 1 of subsection A of Section 991a of~~
17 ~~Title 22 of the Oklahoma Statutes under conditions determined by the~~
18 ~~Department of Corrections. The jury shall be advised that the~~
19 ~~mandatory post-imprisonment supervision shall be in addition to the~~
20 ~~actual imprisonment. Any person convicted of a second or subsequent~~
21 ~~violation of subsection A of Section 1114 of this title shall not be~~
22 ~~eligible for any form of probation. Any person convicted of a third~~
23 ~~or subsequent violation of subsection A of Section 1114 of this~~
24 ~~title or of an offense under Section 888 of this title or an offense~~

1 ~~under Section 1123 of this title or sexual abuse of a child pursuant~~
2 ~~to Section 843.5 of this title, or any attempt to commit any of~~
3 ~~these offenses or any combination of these offenses shall be~~
4 ~~punished by imprisonment in the custody of the Department of~~
5 ~~Corrections for life or life without parole.~~

6 SECTION 12. AMENDATORY 22 O.S. 2021, Section 1101, as
7 amended by Section 1, Chapter 117, O.S.L. 2022 (22 O.S. Supp. 2023,
8 Section 1101), is amended to read as follows:

9 Section 1101. A. Except as otherwise provided by law, bail, by
10 sufficient sureties, shall be admitted upon all arrests in criminal
11 cases where the offense is not punishable by death and in such cases
12 it may be taken by any of the persons or courts authorized by law to
13 arrest, to imprison offenders or to perform pretrial services, or by
14 the clerk of the district court or his or her deputy, or by the
15 judge of such courts.

16 B. In criminal cases where the defendant is currently an
17 escaped prisoner from the Department of Corrections, the defendant
18 must be processed back into the Department of Corrections prior to
19 bail being set on new criminal charges.

20 C. All persons shall be bailable by sufficient sureties, except
21 that bail may be denied for:

22 1. Capital offenses when the proof of guilt is evident, or the
23 presumption thereof is great;

24 2. Violent offenses;

1 3. Offenses where the maximum sentence may be life imprisonment
2 or life imprisonment without parole;

3 4. Felony offenses where the person charged with the offense
4 has been convicted of two or more felony offenses arising out of
5 different transactions; and

6 5. Controlled dangerous substances offenses where the maximum
7 sentence may be at least ten (10) years' imprisonment.

8 On all offenses specified in paragraphs 2 through 5 of this
9 subsection, the proof of guilt must be evident, or the presumption
10 must be great, and it must be on the grounds that no condition of
11 release would assure the safety of the community or any person.

12 D. There shall be a rebuttable presumption that no condition of
13 release would assure the safety of the community if the state shows
14 by clear and convincing evidence that the person was arrested for a
15 violation of Section 741 of Title 21 of the Oklahoma Statutes.

16 E. If the person was arrested for any crime provided for in the
17 Protection from Domestic Abuse Act or a violent crime provided for
18 in Section 571 of Title 57 of the Oklahoma Statutes, the court shall
19 be responsible for assessing prior patterns of abuse and shall
20 present written findings on the bail amount.

21 F. There shall be a rebuttable presumption that no condition of
22 release would assure the safety of the community if the state shows
23 by clear and convincing evidence that the person, at the time of the
24 offense, was a registered sex offender and was arrested for a sex

1 crime provided for in Section 582 of Title 57 of the Oklahoma
2 Statutes.

3 SECTION 13. AMENDATORY 57 O.S. 2021, Section 138, is
4 amended to read as follows:

5 Section 138. A. Except as otherwise provided by law, every
6 inmate of a state correctional institution shall have their term of
7 imprisonment reduced monthly, based upon the class level to which
8 they are assigned. Earned credits may be subtracted from the total
9 credits accumulated by an inmate, upon recommendation of the
10 institution's disciplinary committee, following due process, and
11 upon approval of the warden or superintendent. Each earned credit
12 is equivalent to one (1) day of incarceration. Lost credits may be
13 restored by the warden or superintendent upon approval of the
14 classification committee. If a maximum and minimum term of
15 imprisonment is imposed, the provisions of this subsection shall
16 apply only to the maximum term. No earned credit deductions shall
17 be credited ~~to any~~ or recorded for:

18 1. Any inmate serving a sentence of life imprisonment; however,
19 a complete record of the inmate's participation in work, school,
20 vocational training, or other approved program shall be maintained
21 by the Department for consideration by the paroling authority. ~~No~~
22 ~~earned credit deductions shall be credited or recorded for any;~~

23 2. Any inmate serving any sentence for a criminal act which
24 resulted in the death of a police officer, a law enforcement

1 officer, an employee of the Department of Corrections, or an
2 employee of a private prison contractor and the death occurred while
3 the police officer, law enforcement officer, employee of the
4 Department of Corrections, or employee of a private prison
5 contractor was acting within the scope of their employment.—~~No~~
6 ~~earned credit deductions shall be credited or recorded for any;~~

7 3. Any person who is referred to an intermediate revocation
8 facility for violating any of the terms and conditions of probation;
9 or

10 4. Any inmate serving a sentence for:

11 a. rape in the first degree as provided for in Section
12 1111, 1114, or 1115 of Title 21 of the Oklahoma
13 Statutes,

14 b. child sexual abuse as provided for in subsection E or
15 F of Section 843.5 of Title 21 of the Oklahoma
16 Statutes,

17 c. child pornography or aggravated child pornography as
18 provided for in Section 1021.2, 1021.3, 1024.1,
19 1024.2, or 1040.12a of Title 21 of the Oklahoma
20 Statutes,

21 d. child prostitution as provided for in Section 1031 of
22 Title 21 of the Oklahoma Statutes, or

23

24

1 e. human trafficking of a minor for commercial sex as
2 provided for in Section 748 of Title 21 of the
3 Oklahoma Statutes.

4 B. The Department of Corrections is directed to develop a
5 written policy and procedure whereby inmates shall be assigned to
6 one of four class levels determined by an adjustment review
7 committee of the facility to which the inmate is assigned. The
8 policies and procedures developed by the Department shall include,
9 but not be limited to, written guidelines pertaining to awarding
10 credits for rehabilitation, obtaining job skills and educational
11 enhancement, participation in and completion of alcohol/chemical
12 abuse programs, incentives for inmates to accept work assignments
13 and jobs, work attendance and productivity, conduct record,
14 participation in programs, cooperative general behavior, and
15 appearance. When assigning inmates to a class level the adjustment
16 review committee shall consider all aspects of the policy and
17 procedure developed by the Department including but not limited to
18 the criteria for awarding credits required by this subsection.

19 C. If an inmate is subject to misconduct, nonperformance or
20 disciplinary action, earned credits may be removed according to the
21 policies and procedures developed by the Department. Earned credits
22 removed for misconduct, nonperformance or disciplinary action may be
23 restored as provided by Department policy, if any.

24 D. 1. Class levels shall be as follows:

1 a. Class level 1 shall include inmates not eligible to
2 participate in class levels 2 through 4, and shall
3 include, but not be limited to, inmates on escape
4 status.

5 b. Class level 2 shall include an inmate who has been
6 given a work, education, or program assignment, has
7 received a good evaluation for participation in the
8 work, education, or program assignment, and has
9 received a good evaluation for personal hygiene and
10 maintenance of living area.

11 c. Class level 3 shall include an inmate who has been
12 incarcerated at least three (3) months, has received
13 an excellent work, education, or program evaluation,
14 and has received an excellent evaluation for personal
15 hygiene and maintenance of living area.

16 d. Class level 4 shall include an inmate who has been
17 incarcerated at least eight (8) months, has received
18 an outstanding work, education, or program evaluation,
19 and has received an outstanding evaluation for
20 personal hygiene and maintenance of living area.

21 2. a. Until November 1, 2001, class level corresponding
22 credits are as follows:

23 Class 1 - 0 Credits per month;

24 Class 2 - 22 Credits per month;

1 Class 3 - 33 Credits per month;

2 Class 4 - 44 Credits per month.

3 b. Class level corresponding credits beginning November
4 1, 2001, for inmates who have ever been convicted as
5 an adult or a youthful offender or adjudicated
6 delinquent as a juvenile for a felony offense
7 enumerated in subsection E of this section are as
8 follows:

9 Class 1 - 0 Credits per month;

10 Class 2 - 22 Credits per month;

11 Class 3 - 33 Credits per month;

12 Class 4 - 44 Credits per month.

13 c. Class level corresponding credits beginning November
14 1, 2001, for inmates who have never been convicted as
15 an adult or a youthful offender or adjudicated
16 delinquent as a juvenile for a felony offense
17 enumerated in subsection E of this section are as
18 follows:

19 Class 1 - 0 Credits per month;

20 Class 2 - 22 Credits per month;

21 Class 3 - 45 Credits per month;

22 Class 4 - 60 Credits per month.

23 Each inmate shall receive the above specified monthly credits
24 for the class to which he or she is assigned. In determining the

1 prior criminal history of the inmate, the Department of Corrections
2 shall review criminal history records available through the Oklahoma
3 State Bureau of Investigation, Federal Bureau of Investigation, and
4 National Crime Information Center to determine the reported felony
5 convictions of all inmates. The Department of Corrections shall
6 also review the Office of Juvenile Affairs Juvenile On-line Tracking
7 System for inmates who were adjudicated delinquent or convicted as a
8 youthful offender for a crime that would be an offense enumerated in
9 subsection E of this section.

10 3. In addition to the criteria established for each class in
11 paragraph 1 of this subsection, the following requirements shall
12 apply to each of levels 2 through 4:

- 13 a. satisfactory participation in the work, education, or
14 program assignment at the standard required for the
15 particular class level,
- 16 b. maintenance of a clean and orderly living area and
17 personal hygiene at the standard required for the
18 particular class level,
- 19 c. cooperative behavior toward facility staff and other
20 inmates, and
- 21 d. satisfactory participation in the requirements of the
22 previous class level.

23 4. The evaluation scale for assessing performance shall be as
24 follows:

- 1 a. Outstanding - For inmates who display consistently
2 exceptional initiative, motivation, and work habits.
- 3 b. Excellent - For inmates who display above-average work
4 habits with only minor errors and rarely perform below
5 expectations.
- 6 c. Good - For inmates who perform in a satisfactory
7 manner and complete tasks as required, doing what is
8 expected, with only occasional performance above or
9 below expectations.
- 10 d. Fair - For inmates who may perform satisfactorily for
11 some periods of time, but whose performance is marked
12 by obviously deficient and weak areas and could be
13 improved.
- 14 e. Poor - For inmates whose performance is unsatisfactory
15 and falls below expected and acceptable standards.

16 E. No person ever convicted as an adult or a youthful offender
17 or adjudicated delinquent as a juvenile in this state for any felony
18 offense enumerated in this subsection or a similar felony offense
19 pursuant to the provisions of another state, the United States, or a
20 military court shall be eligible for the credits provided by the
21 provisions of subparagraph c of paragraph 2 of subsection D of this
22 section.

23

24

- 1 1. Assault, battery, or assault and battery with a dangerous
2 weapon as defined by Section 645, subsection C of Section 652 of
3 Title 21 or Section 2-219 of Title 43A of the Oklahoma Statutes;
- 4 2. Aggravated assault and battery on a police officer, sheriff,
5 highway patrolman, or any other officer of the law as defined by
6 Section 650, subsection C of Section 650.2, 650.5, subsection B of
7 Section 650.6, or subsection C of Section 650.7 of Title 21 of the
8 Oklahoma Statutes;
- 9 3. Poisoning with intent to kill as defined by Section 651 of
10 Title 21 of the Oklahoma Statutes;
- 11 4. Shooting with intent to kill as defined by Section 652 of
12 Title 21 of the Oklahoma Statutes;
- 13 5. Assault with intent to kill as defined by Section 653 of
14 Title 21 of the Oklahoma Statutes;
- 15 6. Assault with intent to commit a felony as defined by Section
16 681 of Title 21 of the Oklahoma Statutes;
- 17 7. Assaults while masked or disguised as defined by Section
18 1303 of Title 21 of the Oklahoma Statutes;
- 19 8. Entering premises of another while masked as defined by
20 Section 1302 of Title 21 of the Oklahoma Statutes;
- 21 9. Murder in the first degree as defined by Section 701.7 of
22 Title 21 of the Oklahoma Statutes;
- 23 10. Solicitation for Murder in the first degree as defined by
24 Section 701.16 of Title 21 of the Oklahoma Statutes;

- 1 11. Murder in the second degree as defined by Section 701.8 of
2 Title 21 of the Oklahoma Statutes;
- 3 12. Manslaughter in the first degree as defined by Section 711,
4 712 or 714 of Title 21 of the Oklahoma Statutes;
- 5 13. Manslaughter in the second degree as defined by Section 716
6 or 717 of Title 21 of the Oklahoma Statutes;
- 7 14. Kidnapping as defined by Section 741 of Title 21 of the
8 Oklahoma Statutes;
- 9 15. Burglary in the first degree as defined by Section 1431 of
10 Title 21 of the Oklahoma Statutes;
- 11 16. Burglary with explosives as defined by Section 1441 of
12 Title 21 of the Oklahoma Statutes;
- 13 17. Kidnapping for extortion as defined by Section 745 of Title
14 21 of the Oklahoma Statutes;
- 15 18. Maiming as defined by Section 751 of Title 21 of the
16 Oklahoma Statutes;
- 17 19. Robbery as defined by Section 791 of Title 21 of the
18 Oklahoma Statutes;
- 19 20. Robbery in the first degree as defined by Section 797 of
20 Title 21 of the Oklahoma Statutes;
- 21 21. Robbery in the second degree as defined by Section 797 of
22 Title 21 of the Oklahoma Statutes;
- 23 22. Armed robbery as defined by Section 801 of Title 21 of the
24 Oklahoma Statutes;

- 1 23. Robbery by two or more persons as defined by Section 800 of
2 Title 21 of the Oklahoma Statutes;
- 3 24. Robbery with dangerous weapon or imitation firearm as
4 defined by Section 801 of Title 21 of the Oklahoma Statutes;
- 5 25. Any crime against a child provided for in Section 843.5 of
6 Title 21 of the Oklahoma Statutes;
- 7 26. Wiring any equipment, vehicle or structure with explosives
8 as defined by Section 849 of Title 21 of the Oklahoma Statutes;
- 9 27. Forcible sodomy as defined by Section 888 of Title 21 of
10 the Oklahoma Statutes;
- 11 28. Rape in the first degree as defined by Sections 1111 and
12 1114 of Title 21 of the Oklahoma Statutes;
- 13 29. Rape in the second degree as defined by Sections 1111 and
14 1114 of Title 21 of the Oklahoma Statutes;
- 15 30. Rape by instrumentation as defined by Section 1111.1 of
16 Title 21 of the Oklahoma Statutes;
- 17 31. Lewd or indecent proposition or lewd or indecent act with a
18 child as defined by Section 1123 of Title 21 of the Oklahoma
19 Statutes;
- 20 32. Sexual battery of a person over 16 as defined by Section
21 1123 of Title 21 of the Oklahoma Statutes;
- 22 33. Use of a firearm or offensive weapon to commit or attempt
23 to commit a felony as defined by Section 1287 of Title 21 of the
24 Oklahoma Statutes;

- 1 34. Pointing firearms as defined by Section 1289.16 of Title 21
2 of the Oklahoma Statutes;
- 3 35. Rioting as defined by Section 1311 or 1321.8 of Title 21 of
4 the Oklahoma Statutes;
- 5 36. Inciting to riot as defined by Section 1320.2 of Title 21
6 of the Oklahoma Statutes;
- 7 37. Arson in the first degree as defined by Section 1401 of
8 Title 21 of the Oklahoma Statutes;
- 9 38. Endangering human life during arson as defined by Section
10 1405 of Title 21 of the Oklahoma Statutes;
- 11 39. Injuring or burning public buildings as defined by Section
12 349 of Title 21 of the Oklahoma Statutes;
- 13 40. Sabotage as defined by Section 1262, 1265.4 or 1265.5 of
14 Title 21 of the Oklahoma Statutes;
- 15 41. Extortion as defined by Section 1481 or 1486 of Title 21 of
16 the Oklahoma Statutes;
- 17 42. Obtaining signature by extortion as defined by Section 1485
18 of Title 21 of the Oklahoma Statutes;
- 19 43. Seizure of a bus, discharging firearm or hurling missile at
20 bus as defined by Section 1903 of Title 21 of the Oklahoma Statutes;
- 21 44. Mistreatment of a vulnerable adult as defined by Section
22 843.1 of Title 21 of the Oklahoma Statutes;
- 23 45. Sex offender providing services to a child as defined by
24 Section 404.1 of Title 10 of the Oklahoma Statutes;

- 1 46. A felony offense of domestic abuse as defined by subsection
2 C of Section 644 of Title 21 of the Oklahoma Statutes;
- 3 47. Prisoner placing body fluid on government employee as
4 defined by Section 650.9 of Title 21 of the Oklahoma Statutes;
- 5 48. Poisoning food or water supply as defined by Section 832 of
6 Title 21 of the Oklahoma Statutes;
- 7 49. Trafficking in children as defined by Section 866 of Title
8 21 of the Oklahoma Statutes;
- 9 50. Incest as defined by Section 885 of Title 21 of the
10 Oklahoma Statutes;
- 11 51. Procure, produce, distribute, or possess juvenile
12 pornography as defined by Section 1021.2 of Title 21 of the Oklahoma
13 Statutes;
- 14 52. Parental consent to juvenile pornography as defined by
15 Section 1021.3 of Title 21 of the Oklahoma Statutes;
- 16 53. Soliciting minor for indecent exposure as defined by
17 Section 1021 of Title 21 of the Oklahoma Statutes;
- 18 54. Distributing obscene material or child pornography as
19 defined by Section 1040.13 of Title 21 of the Oklahoma Statutes;
- 20 55. Child prostitution as defined by Section 1030 of Title 21
21 of the Oklahoma Statutes;
- 22 56. Procuring a minor for prostitution or other lewd acts as
23 defined by Section 1087 of Title 21 of the Oklahoma Statutes;
- 24

1 57. Transporting a child under 18 for purposes of prostitution
2 as defined by Section 1087 of Title 21 of the Oklahoma Statutes;

3 58. Inducing a minor to engage in prostitution as defined by
4 Section 1088 of Title 21 of the Oklahoma Statutes;

5 59. A felony offense of stalking as defined by subsection D of
6 Section 1173 of Title 21 of the Oklahoma Statutes;

7 60. Spread of infectious diseases as defined by Section 1192 of
8 Title 21 of the Oklahoma Statutes;

9 61. Advocate overthrow of government by force, commit or
10 attempt to commit acts to overthrow the government, organize or
11 provide assistance to groups to overthrow the government as defined
12 by Section 1266, 1266.4 or 1267.1 of Title 21 of the Oklahoma
13 Statutes;

14 62. Feloniously discharging a firearm as defined by Section
15 1289.17A of Title 21 of the Oklahoma Statutes;

16 63. Possession, use, manufacture, or threat of incendiary
17 device as defined by Section 1767.1 of Title 21 of the Oklahoma
18 Statutes;

19 64. Causing a personal injury accident while driving under the
20 influence as defined by Section 11-904 of Title 47 of the Oklahoma
21 Statutes; or

22 65. Using a motor vehicle to facilitate the discharge of a
23 firearm as defined by Section 652 of Title 21 of the Oklahoma
24 Statutes.

1 F. The policy and procedure developed by the Department of
2 Corrections shall include provisions for adjustment review
3 committees of not less than three members for each such committee.
4 Each committee shall consist of a classification team supervisor who
5 shall act as chairman, the case manager for the inmate being
6 reviewed or classified, a correctional officer or inmate counselor,
7 and not more than two other members, if deemed necessary, determined
8 pursuant to policy and procedure to be appropriate for the specific
9 adjustment review committee or committees to which they are
10 assigned. At least once every four (4) months the adjustment review
11 committee for each inmate shall evaluate the class level status and
12 performance of the inmate and determine whether or not the class
13 level for the inmate should be changed.

14 Any inmate who feels aggrieved by a decision made by an
15 adjustment review committee may utilize normal grievance procedures
16 in effect with the Department of Corrections and in effect at the
17 facility in which the inmate is incarcerated.

18 G. Inmates granted medical leaves for treatment that cannot be
19 furnished at the penal institution where incarcerated shall be
20 allowed the time spent on medical leave as time served. Any inmate
21 placed into administrative segregation for nondisciplinary reasons
22 by the institution's administration may be placed in Class 2. The
23 length of any jail term served by an inmate before being transported
24 to a state correctional institution pursuant to a judgment and

1 sentence of incarceration shall be deducted from the term of
2 imprisonment at the state correctional institution. Inmates
3 sentenced to the Department of Corrections and detained in a county
4 jail as a result of the Department's reception scheduling procedure
5 shall be awarded earned credits as provided for in subparagraph b of
6 paragraph 1 of subsection D of this section, beginning on the date
7 of the judgment and sentence, unless the inmate is convicted of a
8 misdemeanor or felony committed in the jail while the inmate is
9 awaiting transport to the Lexington Assessment and Reception Center
10 or other assessment and reception location determined by the
11 Director of the Department of Corrections.

12 H. Additional achievement earned credits for successful
13 completion of departmentally approved programs or for attaining
14 goals or standards set by the Department shall be awarded as
15 follows:

- 16 Bachelor's degree.....200 credits;
- 17 Associate's degree.....100 credits;
- 18 High School Diploma or High School
19 Equivalency Diploma.....90 credits;
- 20 Certification of Completion of
21 Vocational Training.....80 credits;
- 22 Successful completion of
23 Alcohol/Chemical Abuse Treatment

24

1 Program of not less than four (4)
2 months continuous participation.....70 credits;
3 Successful completion of other
4 Educational Accomplishments or
5 other programs not specified in
6 this subsection.....10-30 credits;

7 Achievement earned credits are subject to loss and restoration in
8 the same manner as earned credits.

9 I. The accumulated time of every inmate shall be tallied
10 monthly and maintained by the institution where the term of
11 imprisonment is being served. A record of said accumulated time
12 shall be:

- 13 1. Sent to the administrative office of the Department of
14 Corrections on a quarterly basis; and
- 15 2. Provided to the inmate.

16 SECTION 14. This act shall become effective November 1, 2024.

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1 Passed the House of Representatives the 11th day of March, 2024.

2
3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ___ day of _____, 2024.

7
8 _____
9 Presiding Officer of the Senate