

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1104

By: Standridge

AS INTRODUCED

An Act relating to crime and punishment; amending 21 O.S. 2011, Section 13.1, as last amended by Section 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp. 2019, Section 13.1), which relates to required service of minimum percentage of sentence; modifying inclusions; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 13.1, as last amended by Section 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp. 2019, Section 13.1), is amended to read as follows:

Section 13.1. Persons convicted of:

1. First degree murder as defined in Section 701.7 of this title;
2. Second degree murder as defined by Section 701.8 of this title;
3. Manslaughter in the first degree as defined by Section 711 of this title;
4. Poisoning with intent to kill as defined by Section 651 of this title;

1        5. Shooting with intent to kill, use of a vehicle to facilitate  
2 use of a firearm, crossbow or other weapon, assault, battery, or  
3 assault and battery with a deadly weapon or by other means likely to  
4 produce death or great bodily harm, as provided for in Section 652  
5 of this title;

6        6. Assault with intent to kill as provided for in Section 653  
7 of this title;

8        7. Conjoint robbery as defined by Section 800 of this title;

9        8. Robbery with a dangerous weapon as defined in Section 801 of  
10 this title;

11       9. First degree robbery as defined in Section 797 of this  
12 title;

13       10. First degree rape as provided for in Section 1111, 1114 or  
14 1115 of this title;

15       11. First degree arson as defined in Section 1401 of this  
16 title;

17       12. First degree burglary as provided for in Section 1436 of  
18 this title;

19       13. Bombing as defined in Section 1767.1 of this title;

20       14. Any crime against a child provided for in Section 843.5 of  
21 this title;

22       15. Forcible sodomy as defined in Section 888 of this title;

1        16. Child pornography or aggravated child pornography as  
2 defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of  
3 this title;

4        17. Child prostitution as defined in Section 1030 of this  
5 title;

6        18. Lewd molestation of a child as defined in Section 1123 of  
7 this title;

8        19. Abuse of a vulnerable adult as defined in Section 10-103 of  
9 Title 43A of the Oklahoma Statutes who is a resident of a nursing  
10 facility;

11       20. Aggravated trafficking as provided for in subsection C of  
12 Section 2-415 of Title 63 of the Oklahoma Statutes;

13       21. Aggravated assault and battery upon any person defending  
14 another person from assault and battery; ~~or~~

15       22. Human trafficking as provided for in Section 748 of this  
16 title; or

17       23. Domestic assault and battery against a pregnant woman with  
18 knowledge of pregnancy and a miscarriage occurs or injury to the  
19 unborn child occurs, as provided for in Section 644 of this title,  
20 shall be required to serve not less than eighty-five percent (85%)  
21 of any sentence of imprisonment imposed by the judicial system prior  
22 to becoming eligible for consideration for parole. Persons  
23 convicted of these offenses shall not be eligible for earned credits  
24 or any other type of credits which have the effect of reducing the

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length of the sentence to less than eighty-five percent (85%) of the sentence imposed.

SECTION 2. This act shall become effective November 1, 2020.

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