

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1056

By: McEntire

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to domestic assault and battery and
10 sentencing requirements; amending 21 O.S. 2011,
11 Section 13.1, as last amended by Section 1, Chapter
12 290, O.S.L. 2015 (21 O.S. Supp. 2018, Section 13.1),
13 which relates to required minimum sentences; adding
14 offense to list of crimes; amending 21 O.S. 2011,
15 Section 644, as amended by Section 1, Chapter 71,
16 O.S.L. 2014 (21 O.S. Supp. 2018, Section 644), which
17 relates to assault and battery offenses; deleting
18 penalty option for certain prohibited act; amending
19 57 O.S. 2011, Section 571, as last amended by Section
20 4, Chapter 117, O.S.L. 2018 (57 O.S. Supp. 2018,
21 Section 571), which relates to violent crime
22 definition; modifying scope of definition to include
23 certain crimes; and providing an effective date.
24

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.
2018, Section 13.1), is amended to read as follows:

Section 13.1 Persons convicted of:

- 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. First degree burglary as provided for in Section 1436 of
2 this title;

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

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

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

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

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

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

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

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

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

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

23 23. Domestic assault and battery as provided for in subsection
24 C, D, E, F, G or J of Section 644 of this title,

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 2. AMENDATORY 21 O.S. 2011, Section 644, as
9 amended by Section 1, Chapter 71, O.S.L. 2014 (21 O.S. Supp. 2018,
10 Section 644), is amended to read as follows:

11 Section 644. A. Assault shall be punishable by imprisonment in
12 a county jail not exceeding thirty (30) days, or by a fine of not
13 more than Five Hundred Dollars (\$500.00), or by both such fine and
14 imprisonment.

15 B. Assault and battery shall be punishable by imprisonment in a
16 county jail not exceeding ninety (90) days, or by a fine of not more
17 than One Thousand Dollars (\$1,000.00), or by both such fine and
18 imprisonment.

19 C. Any person who commits any assault and battery against a
20 current or former spouse, a present spouse of a former spouse, a
21 former spouse of a present spouse, parents, a foster parent, a
22 child, a person otherwise related by blood or marriage, a person
23 with whom the defendant is or was in a dating relationship as
24 defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an

1 individual with whom the defendant has had a child, a person who
2 formerly lived in the same household as the defendant, or a person
3 living in the same household as the defendant shall be guilty of
4 domestic abuse. Upon conviction, the defendant shall be punished by
5 imprisonment in the county jail for not more than one (1) year, or
6 by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by
7 both such fine and imprisonment. Upon conviction for a second or
8 subsequent offense, the person shall be punished by imprisonment in
9 the custody of the Department of Corrections for not more than four
10 (4) years, or by a fine not exceeding Five Thousand Dollars
11 (\$5,000.00), or by both such fine and imprisonment. The provisions
12 of Section 51.1 of this title shall apply to any second or
13 subsequent offense.

14 D. 1. Any person who, with intent to do bodily harm and
15 without justifiable or excusable cause, commits any assault,
16 battery, or assault and battery upon a current or former spouse, a
17 present spouse of a former spouse, a parent, a foster parent, a
18 child, a person otherwise related by blood or marriage, a person
19 with whom the defendant is in a dating relationship as defined by
20 Section 60.1 of Title 22 of the Oklahoma Statutes, an individual
21 with whom the defendant has a child, a person who formerly lived in
22 the same household as the defendant, or a person living in the same
23 household as the defendant with any sharp or dangerous weapon, upon
24 conviction, is guilty of domestic assault or domestic assault and

1 battery with a dangerous weapon which shall be a felony and
2 punishable by imprisonment in the custody of the Department of
3 Corrections not exceeding ten (10) years, or by imprisonment in a
4 county jail not exceeding one (1) year. The provisions of Section
5 51.1 of this title shall apply to any second or subsequent
6 conviction for a violation of this paragraph.

7 2. Any person who, without such cause, shoots a current or
8 former spouse, a present spouse of a former spouse, a parent, a
9 foster parent, a child, a person otherwise related by blood or
10 marriage, a person with whom the defendant is in a dating
11 relationship as defined by Section 60.1 of Title 22 of the Oklahoma
12 Statutes, an individual with whom the defendant has a child, a
13 person who formerly lived in the same household as the defendant, or
14 a person living in the same household as the defendant, by means of
15 any deadly weapon that is likely to produce death shall, upon
16 conviction, be guilty of domestic assault and battery with a deadly
17 weapon which shall be a felony punishable by imprisonment in the
18 custody of the Department of Corrections not exceeding life. The
19 provisions of Section 51.1 of this title shall apply to any second
20 or subsequent conviction for a violation of this paragraph.

21 E. Any person convicted of domestic abuse committed against a
22 pregnant woman with knowledge of the pregnancy shall be guilty of a
23 misdemeanor, punishable by imprisonment in the county jail for not
24 more than one (1) year.

1 Any person convicted of a second or subsequent offense of
2 domestic abuse against a pregnant woman with knowledge of the
3 pregnancy shall be guilty of a felony, punishable by imprisonment in
4 the custody of the Department of Corrections for not less than ten
5 (10) years.

6 Any person convicted of domestic abuse committed against a
7 pregnant woman with knowledge of the pregnancy and a miscarriage
8 occurs or injury to the unborn child occurs shall be guilty of a
9 felony, punishable by imprisonment in the custody of the Department
10 of Corrections for not less than twenty (20) years.

11 F. Any person convicted of domestic abuse as defined in
12 subsection C of this section that results in great bodily injury to
13 the victim shall be guilty of a felony and punished by imprisonment
14 in the custody of the Department of Corrections for not more than
15 ten (10) years, ~~or by imprisonment in the county jail for not more~~
16 ~~than one (1) year.~~ The provisions of Section 51.1 of this title
17 shall apply to any second or subsequent conviction of a violation of
18 this subsection.

19 G. Any person convicted of domestic abuse as defined in
20 subsection C of this section that was committed in the presence of a
21 child shall be punished by imprisonment in the county jail for not
22 less than six (6) months nor more than one (1) year, or by a fine
23 not exceeding Five Thousand Dollars (\$5,000.00), or by both such
24 fine and imprisonment. Any person convicted of a second or

1 subsequent domestic abuse as defined in subsection C of this section
2 that was committed in the presence of a child shall be punished by
3 imprisonment in the custody of the Department of Corrections for not
4 less than one (1) year nor more than five (5) years, or by a fine
5 not exceeding Seven Thousand Dollars (\$7,000.00), or by both such
6 fine and imprisonment. The provisions of Section 51.1 of this title
7 shall apply to any second or subsequent offense. For every
8 conviction of domestic abuse, domestic assault or domestic assault
9 and battery with a dangerous weapon, or domestic assault and battery
10 with a deadly weapon, the court shall:

11 1. Specifically order as a condition of a suspended sentence or
12 probation that a defendant participate in counseling or undergo
13 treatment to bring about the cessation of domestic abuse as
14 specified in paragraph 2 of this subsection;

15 2. a. The court shall require the defendant to participate
16 in counseling or undergo treatment for domestic abuse
17 by an individual licensed practitioner or a domestic
18 abuse treatment program certified by the Attorney
19 General. If the defendant is ordered to participate
20 in a domestic abuse counseling or treatment program,
21 the order shall require the defendant to attend the
22 program for a minimum of fifty-two (52) weeks,
23 complete the program, and be evaluated before and
24 after attendance of the program by a program counselor

1 or a private counselor. Three unexcused absences in
2 succession or seven unexcused absences in a period of
3 fifty-two (52) weeks from any court-ordered domestic
4 abuse counseling or treatment program shall be prima
5 facie evidence of the violation of the conditions of
6 probation for the district attorney to seek
7 acceleration or revocation of any probation entered by
8 the court.

9 b. A program for anger management, couples counseling, or
10 family and marital counseling shall not solely qualify
11 for the counseling or treatment requirement for
12 domestic abuse pursuant to this subsection. The
13 counseling may be ordered in addition to counseling
14 specifically for the treatment of domestic abuse or
15 per evaluation as set forth below. If, after
16 sufficient evaluation and attendance at required
17 counseling sessions, the domestic violence treatment
18 program or licensed professional determines that the
19 defendant does not evaluate as a perpetrator of
20 domestic violence or does evaluate as a perpetrator of
21 domestic violence and should complete other programs
22 of treatment simultaneously or prior to domestic
23 violence treatment, including but not limited to
24 programs related to the mental health, apparent

1 substance or alcohol abuse or inability or refusal to
2 manage anger, the defendant shall be ordered to
3 complete the counseling as per the recommendations of
4 the domestic violence treatment program or licensed
5 professional;

- 6 3. a. The court shall set a review hearing no more than one
7 hundred twenty (120) days after the defendant is
8 ordered to participate in a domestic abuse counseling
9 program or undergo treatment for domestic abuse to
10 assure the attendance and compliance of the defendant
11 with the provisions of this subsection and the
12 domestic abuse counseling or treatment requirements.
13 The court may suspend sentencing of the defendant
14 until the defendant has presented proof to the court
15 of enrollment in a program of treatment for domestic
16 abuse by an individual licensed practitioner or a
17 domestic abuse treatment program certified by the
18 Attorney General and attendance at weekly sessions of
19 such program. Such proof shall be presented to the
20 court by the defendant no later than one hundred
21 twenty (120) days after the defendant is ordered to
22 such counseling or treatment. At such time, the court
23 may complete sentencing, beginning the period of the
24 sentence from the date that proof of enrollment is

1 presented to the court, and schedule reviews as
2 required by subparagraphs a and b of this paragraph
3 and paragraphs 4 and 5 of this subsection. Three
4 unexcused absences in succession or seven unexcused
5 absences in a period of fifty-two (52) weeks from any
6 court-ordered domestic abuse counseling or treatment
7 program shall be prima facie evidence of the violation
8 of the conditions of probation for the district
9 attorney to seek acceleration or revocation of any
10 probation entered by the court.

11 b. The court shall set a second review hearing after the
12 completion of the counseling or treatment to assure
13 the attendance and compliance of the defendant with
14 the provisions of this subsection and the domestic
15 abuse counseling or treatment requirements. The court
16 shall retain continuing jurisdiction over the
17 defendant during the course of ordered counseling
18 through the final review hearing;

19 4. The court may set subsequent or other review hearings as the
20 court determines necessary to assure the defendant attends and fully
21 complies with the provisions of this subsection and the domestic
22 abuse counseling or treatment requirements;

23 5. At any review hearing, if the defendant is not
24 satisfactorily attending individual counseling or a domestic abuse

1 counseling or treatment program or is not in compliance with any
2 domestic abuse counseling or treatment requirements, the court may
3 order the defendant to further or continue counseling, treatment, or
4 other necessary services. The court may revoke all or any part of a
5 suspended sentence, deferred sentence, or probation pursuant to
6 Section 991b of Title 22 of the Oklahoma Statutes and subject the
7 defendant to any or all remaining portions of the original sentence;

8 6. At the first review hearing, the court shall require the
9 defendant to appear in court. Thereafter, for any subsequent review
10 hearings, the court may accept a report on the progress of the
11 defendant from individual counseling, domestic abuse counseling, or
12 the treatment program. There shall be no requirement for the victim
13 to attend review hearings; and

14 7. If funding is available, a referee may be appointed and
15 assigned by the presiding judge of the district court to hear
16 designated cases set for review under this subsection. Reasonable
17 compensation for the referees shall be fixed by the presiding judge.
18 The referee shall meet the requirements and perform all duties in
19 the same manner and procedure as set forth in Sections 1-8-103 and
20 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees
21 appointed in juvenile proceedings.

22 The defendant may be required to pay all or part of the cost of
23 the counseling or treatment, in the discretion of the court.

24

1 H. As used in subsection G of this section, "in the presence of
2 a child" means in the physical presence of a child; or having
3 knowledge that a child is present and may see or hear an act of
4 domestic violence. For the purposes of subsections C and G of this
5 section, "child" may be any child whether or not related to the
6 victim or the defendant.

7 I. For the purposes of subsections C and G of this section, any
8 conviction for assault and battery against a current or former
9 spouse, a present spouse of a former spouse, a former spouse of a
10 present spouse, parents, a foster parent, a child, a person
11 otherwise related by blood or marriage, a person with whom the
12 defendant is or was in a dating relationship as defined by Section
13 60.1 of Title 22 of the Oklahoma Statutes, an individual with whom
14 the defendant has had a child, a person who formerly lived in the
15 same household as the defendant, or any person living in the same
16 household as the defendant, shall constitute a sufficient basis for
17 a felony charge:

18 1. If that conviction is rendered in any state, county or
19 parish court of record of this or any other state; or

20 2. If that conviction is rendered in any municipal court of
21 record of this or any other state for which any jail time was
22 served; provided, no conviction in a municipal court of record
23 entered prior to November 1, 1997, shall constitute a prior
24 conviction for purposes of a felony charge.

1 J. Any person who commits any assault and battery with intent
2 to cause great bodily harm by strangulation or attempted
3 strangulation against a current or former spouse, a present spouse
4 of a former spouse, a former spouse of a present spouse, parents, a
5 foster parent, a child, a person otherwise related by blood or
6 marriage, a person with whom the defendant is or was in a dating
7 relationship as defined by Section 60.1 of Title 22 of the Oklahoma
8 Statutes, an individual with whom the defendant has had a child, a
9 person who formerly lived in the same household as the defendant, or
10 a person living in the same household as the defendant shall, upon
11 conviction, be guilty of domestic abuse by strangulation and shall
12 be punished by imprisonment in the custody of the Department of
13 Corrections for a period of not less than one (1) year nor more than
14 three (3) years, or by a fine of not more than Three Thousand
15 Dollars (\$3,000.00), or by both such fine and imprisonment. Upon a
16 second or subsequent conviction for a violation of this section, the
17 defendant shall be punished by imprisonment in the custody of the
18 Department of Corrections for a period of not less than three (3)
19 years nor more than ten (10) years, or by a fine of not more than
20 Twenty Thousand Dollars (\$20,000.00), or by both such fine and
21 imprisonment. The provisions of Section 51.1 of this title shall
22 apply to any second or subsequent conviction of a violation of this
23 subsection. As used in this subsection, "strangulation" means any
24 form of asphyxia; including, but not limited to, asphyxia

1 characterized by closure of the blood vessels or air passages of the
2 neck as a result of external pressure on the neck or the closure of
3 the nostrils or mouth as a result of external pressure on the head.

4 K. Any district court of this state and any judge thereof shall
5 be immune from any liability or prosecution for issuing an order
6 that requires a defendant to:

7 1. Attend a treatment program for domestic abusers certified by
8 the Attorney General;

9 2. Attend counseling or treatment services ordered as part of
10 any suspended or deferred sentence or probation; and

11 3. Attend, complete, and be evaluated before and after
12 attendance by a treatment program for domestic abusers, certified by
13 the Attorney General.

14 L. There shall be no charge of fees or costs to any victim of
15 domestic violence, stalking, or sexual assault in connection with
16 the prosecution of a domestic violence, stalking, or sexual assault
17 offense in this state.

18 M. In the course of prosecuting any charge of domestic abuse,
19 stalking, harassment, rape, or violation of a protective order, the
20 prosecutor shall provide the court, prior to sentencing or any plea
21 agreement, a local history and any other available history of past
22 convictions of the defendant within the last ten (10) years relating
23 to domestic abuse, stalking, harassment, rape, violation of a
24

1 protective order, or any other violent misdemeanor or felony
2 convictions.

3 N. Any plea of guilty or finding of guilt for a violation of
4 subsection C, F, G, I or J of this section shall constitute a
5 conviction of the offense for the purpose of this act or any other
6 criminal statute under which the existence of a prior conviction is
7 relevant for a period of ten (10) years following the completion of
8 any court imposed probationary term; provided, the person has not,
9 in the meantime, been convicted of a misdemeanor involving moral
10 turpitude or a felony.

11 O. For purposes of subsection F of this section, "great bodily
12 injury" means bone fracture, protracted and obvious disfigurement,
13 protracted loss or impairment of the function of a body part, organ
14 or mental faculty, or substantial risk of death.

15 P. Any pleas of guilty or nolo contendere or finding of guilt
16 to a violation of any provision of this section shall constitute a
17 conviction of the offense for the purpose of any subsection of this
18 section under which the existence of a prior conviction is relevant
19 for a period of ten (10) years following the completion of any
20 sentence or court imposed probationary term.

21 SECTION 3. AMENDATORY 57 O.S. 2011, Section 571, as last
22 amended by Section 4, Chapter 117, O.S.L. 2018 (57 O.S. Supp. 2018,
23 Section 571), is amended to read as follows:

24

1 Section 571. As used in the Oklahoma Statutes, unless another
2 definition is specified:

3 1. "Capacity" means the actual available bedspace as certified
4 by the State Board of Corrections subject to applicable federal and
5 state laws and the rules and regulations promulgated under such
6 laws;

7 2. "Violent crime" means any of the following felony offenses
8 and any attempts to commit or conspiracy or solicitation to commit
9 the following crimes:

10 a. assault, battery, or assault and battery with a
11 dangerous or deadly weapon, as provided for in
12 Sections 645 and 652 of Title 21 of the Oklahoma
13 Statutes,

14 b. assault, battery, or assault and battery with a deadly
15 weapon or by other means likely to produce death or
16 great bodily harm, as provided for in Section 652 of
17 Title 21 of the Oklahoma Statutes,

18 c. aggravated assault and battery on a police officer,
19 sheriff, highway patrolman, or any other officer of
20 the law, as provided for in Section 650 of Title 21 of
21 the Oklahoma Statutes,

22 d. poisoning with intent to kill, as provided for in
23 Section 651 of Title 21 of the Oklahoma Statutes,
24

- 1 e. shooting with intent to kill, as provided for in
2 Section 652 of Title 21 of the Oklahoma Statutes,
3 f. assault with intent to kill, as provided for in
4 Section 653 of Title 21 of the Oklahoma Statutes,
5 g. assault with intent to commit a felony, as provided
6 for in Section 681 of Title 21 of the Oklahoma
7 Statutes,
8 h. assaults with a dangerous weapon while masked or
9 disguised, as provided for in Section 1303 of Title 21
10 of the Oklahoma Statutes,
11 i. murder in the first degree, as provided for in Section
12 701.7 of Title 21 of the Oklahoma Statutes,
13 j. murder in the second degree, as provided for in
14 Section 701.8 of Title 21 of the Oklahoma Statutes,
15 k. manslaughter in the first degree, as provided for in
16 Section 711 of Title 21 of the Oklahoma Statutes,
17 l. manslaughter in the second degree, as provided for in
18 Section 716 of Title 21 of the Oklahoma Statutes,
19 m. kidnapping, as provided for in Section 741 of Title 21
20 of the Oklahoma Statutes,
21 n. burglary in the first degree, as provided for in
22 Section 1431 of Title 21 of the Oklahoma Statutes,
23 o. burglary with explosives, as provided for in Section
24 1441 of Title 21 of the Oklahoma Statutes,

- 1 p. kidnapping for extortion, as provided for in Section
2 745 of Title 21 of the Oklahoma Statutes,
- 3 q. maiming, as provided for in Section 751 of Title 21 of
4 the Oklahoma Statutes,
- 5 r. robbery, as provided for in Section 791 of Title 21 of
6 the Oklahoma Statutes,
- 7 s. robbery in the first degree, as provided for in
8 Section 797 et seq. of Title 21 of the Oklahoma
9 Statutes,
- 10 t. robbery in the second degree, as provided for in
11 Section 797 et seq. of Title 21 of the Oklahoma
12 Statutes,
- 13 u. armed robbery, as provided for in Section 801 of Title
14 21 of the Oklahoma Statutes,
- 15 v. robbery by two or more persons, as provided for in
16 Section 800 of Title 21 of the Oklahoma Statutes,
- 17 w. robbery with dangerous weapon or imitation firearm, as
18 provided for in Section 801 of Title 21 of the
19 Oklahoma Statutes,
- 20 x. child abuse, as provided for in Section 843.5 of Title
21 21 of the Oklahoma Statutes,
- 22 y. wiring any equipment, vehicle or structure with
23 explosives, as provided for in Section 849 of Title 21
24 of the Oklahoma Statutes,

- 1 z. forcible sodomy, as provided for in Section 888 of
2 Title 21 of the Oklahoma Statutes,
3 aa. rape in the first degree, as provided for in Section
4 1114 of Title 21 of the Oklahoma Statutes,
5 bb. rape in the second degree, as provided for in Section
6 1114 of Title 21 of the Oklahoma Statutes,
7 cc. rape by instrumentation, as provided for in Section
8 1111.1 of Title 21 of the Oklahoma Statutes,
9 dd. lewd or indecent proposition or lewd or indecent act
10 with a child under sixteen (16) years of age, as
11 provided for in Section 1123 of Title 21 of the
12 Oklahoma Statutes,
13 ee. use of a firearm or offensive weapon to commit or
14 attempt to commit a felony, as provided for in Section
15 1287 of Title 21 of the Oklahoma Statutes,
16 ff. pointing firearms, as provided for in Section 1279 of
17 Title 21 of the Oklahoma Statutes,
18 gg. rioting, as provided for in Section 1311 of Title 21
19 of the Oklahoma Statutes,
20 hh. inciting to riot, as provided for in Section 1320.2 of
21 Title 21 of the Oklahoma Statutes,
22 ii. arson in the first degree, as provided for in Section
23 1401 of Title 21 of the Oklahoma Statutes,
24

- 1 jj. injuring or burning public buildings, as provided for
2 in Section 349 of Title 21 of the Oklahoma Statutes,
3 kk. sabotage, as provided for in Section 1262 of Title 21
4 of the Oklahoma Statutes,
5 ll. criminal syndicalism, as provided for in Section 1261
6 of Title 21 of the Oklahoma Statutes,
7 mm. extortion, as provided for in Section 1481 of Title 21
8 of the Oklahoma Statutes,
9 nn. obtaining signature by extortion, as provided for in
10 Section 1485 of Title 21 of the Oklahoma Statutes,
11 oo. seizure of a bus, discharging firearm or hurling
12 missile at bus, as provided for in Section 1903 of
13 Title 21 of the Oklahoma Statutes,
14 pp. mistreatment of a mental patient, as provided for in
15 Section 843.1 of Title 21 of the Oklahoma Statutes,
16 qq. using a vehicle to facilitate the discharge of a
17 weapon pursuant to Section 652 of Title 21 of the
18 Oklahoma Statutes,
19 rr. bombing offenses as defined in Section 1767.1 of Title
20 21 of the Oklahoma Statutes,
21 ss. child pornography or aggravated child pornography as
22 defined in Section 1021.2, 1021.3, 1024.1 or 1040.12a
23 of Title 21 of the Oklahoma Statutes,
24

- 1 tt. child prostitution as defined in Section 1030 of Title
2 21 of the Oklahoma Statutes,
3 uu. abuse of a vulnerable adult as defined in Section 10-
4 103 of Title 43A of the Oklahoma Statutes who is a
5 resident of a nursing facility,
6 vv. aggravated trafficking as provided for in subsection C
7 of Section 2-415 of Title 63 of the Oklahoma Statutes,
8 ww. aggravated assault and battery upon any person
9 defending another person from assault and battery, as
10 provided for in Section 646 of Title 21 of the
11 Oklahoma Statutes,
12 xx. human trafficking as provided for in Section 748 of
13 Title 21 of the Oklahoma Statutes, ~~or~~
14 yy. terrorism crimes as provided in Section 1268 et seq.
15 of Title 21 of the Oklahoma Statutes, or
16 zz. domestic assault and battery as provided for in
17 subsection C, D, E, F, G or J of Section 644 of Title
18 21 of the Oklahoma Statutes.

19 Such offenses shall constitute exceptions to nonviolent offenses
20 pursuant to Article VI, Section 10 of the Oklahoma Constitution.

21 SECTION 4. This act shall become effective November 1, 2019.

22
23 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/13/2019 - DO
24 PASS, As Amended.