

1 ENGROSSED HOUSE
2 BILL NO. 1056

By: McEntire of the House

3 and

4 Bice of the Senate

5
6 [domestic assault and battery and sentencing
7 requirements - required minimum sentences - adding
8 offense to list of crimes - effective date]
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 21 O.S. 2011, Section 13.1, as
13 last amended by Section 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp.
14 2018, Section 13.1), is amended to read as follows:

15 Section 13.1 Persons convicted of:

16 1. First degree murder as defined in Section 701.7 of this
17 title;

18 2. Second degree murder as defined by Section 701.8 of this
19 title;

20 3. Manslaughter in the first degree as defined by Section 711
21 of this title;

22 4. Poisoning with intent to kill as defined by Section 651 of
23 this title;
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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;

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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 as provided for in subsection
18 C, D, E, F, G or J of Section 644 of this title,

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

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

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

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

14 C. Any person who commits any assault and battery against a
15 current or former spouse, a present spouse of a former spouse, a
16 former spouse of a present spouse, parents, a foster parent, a
17 child, a person otherwise related by blood or marriage, a person
18 with whom the defendant is or was in a dating relationship as
19 defined by Section 60.1 of Title 22 of the Oklahoma Statutes, an
20 individual with whom the defendant has had a child, a person who
21 formerly lived in the same household as the defendant, or a person
22 living in the same household as the defendant shall be guilty of
23 domestic abuse. Upon conviction, the defendant shall be punished by
24 imprisonment in the county jail for not more than one (1) year, or

1 by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by
2 both such fine and imprisonment. Upon conviction for a second or
3 subsequent offense, the person shall be punished by imprisonment in
4 the custody of the Department of Corrections for not more than four
5 (4) years, or by a fine not exceeding Five Thousand Dollars
6 (\$5,000.00), or by both such fine and imprisonment. The provisions
7 of Section 51.1 of this title shall apply to any second or
8 subsequent offense.

9 D. 1. Any person who, with intent to do bodily harm and
10 without justifiable or excusable cause, commits any assault,
11 battery, or assault and battery upon a current or former spouse, a
12 present spouse of a former spouse, a parent, a foster parent, a
13 child, a person otherwise related by blood or marriage, a person
14 with whom the defendant is in a dating relationship as defined by
15 Section 60.1 of Title 22 of the Oklahoma Statutes, an individual
16 with whom the defendant has a child, a person who formerly lived in
17 the same household as the defendant, or a person living in the same
18 household as the defendant with any sharp or dangerous weapon, upon
19 conviction, is guilty of domestic assault or domestic assault and
20 battery with a dangerous weapon which shall be a felony and
21 punishable by imprisonment in the custody of the Department of
22 Corrections not exceeding ten (10) years, or by imprisonment in a
23 county jail not exceeding one (1) year. The provisions of Section
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1 51.1 of this title shall apply to any second or subsequent
2 conviction for a violation of this paragraph.

3 2. Any person who, without such cause, shoots a current or
4 former spouse, a present spouse of a former spouse, a parent, a
5 foster parent, a child, a person otherwise related by blood or
6 marriage, a person with whom the defendant is 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 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, by means of
11 any deadly weapon that is likely to produce death shall, upon
12 conviction, be guilty of domestic assault and battery with a deadly
13 weapon which shall be a felony punishable by imprisonment in the
14 custody of the Department of Corrections not exceeding life. The
15 provisions of Section 51.1 of this title shall apply to any second
16 or subsequent conviction for a violation of this paragraph.

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

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

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

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

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

1 less than one (1) year nor more than five (5) years, or by a fine
2 not exceeding Seven Thousand Dollars (\$7,000.00), or by both such
3 fine and imprisonment. The provisions of Section 51.1 of this title
4 shall apply to any second or subsequent offense. For every
5 conviction of domestic abuse, domestic assault or domestic assault
6 and battery with a dangerous weapon, or domestic assault and battery
7 with a deadly weapon, the court shall:

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

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

1 abuse counseling or treatment program shall be prima
2 facie evidence of the violation of the conditions of
3 probation for the district attorney to seek
4 acceleration or revocation of any probation entered by
5 the court.

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

1 the domestic violence treatment program or licensed
2 professional;

- 3 3. a. The court shall set a review hearing no more than one
4 hundred twenty (120) days after the defendant is
5 ordered to participate in a domestic abuse counseling
6 program or undergo treatment for domestic abuse to
7 assure the attendance and compliance of the defendant
8 with the provisions of this subsection and the
9 domestic abuse counseling or treatment requirements.
10 The court may suspend sentencing of the defendant
11 until the defendant has presented proof to the court
12 of enrollment in a program of treatment for domestic
13 abuse by an individual licensed practitioner or a
14 domestic abuse treatment program certified by the
15 Attorney General and attendance at weekly sessions of
16 such program. Such proof shall be presented to the
17 court by the defendant no later than one hundred
18 twenty (120) days after the defendant is ordered to
19 such counseling or treatment. At such time, the court
20 may complete sentencing, beginning the period of the
21 sentence from the date that proof of enrollment is
22 presented to the court, and schedule reviews as
23 required by subparagraphs a and b of this paragraph
24 and paragraphs 4 and 5 of this subsection. Three

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

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

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

20 5. At any review hearing, if the defendant is not
21 satisfactorily attending individual counseling or a domestic abuse
22 counseling or treatment program or is not in compliance with any
23 domestic abuse counseling or treatment requirements, the court may
24 order the defendant to further or continue counseling, treatment, or

1 other necessary services. The court may revoke all or any part of a
2 suspended sentence, deferred sentence, or probation pursuant to
3 Section 991b of Title 22 of the Oklahoma Statutes and subject the
4 defendant to any or all remaining portions of the original sentence;

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

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

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

21 H. As used in subsection G of this section, "in the presence of
22 a child" means in the physical presence of a child; or having
23 knowledge that a child is present and may see or hear an act of
24 domestic violence. For the purposes of subsections C and G of this

1 section, "child" may be any child whether or not related to the
2 victim or the defendant.

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

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

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

21 J. Any person who commits any assault and battery with intent
22 to cause great bodily harm by strangulation or attempted
23 strangulation against a current or former spouse, a present spouse
24 of a former spouse, a former spouse of a present spouse, parents, a

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

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

4 1. Attend a treatment program for domestic abusers certified by
5 the Attorney General;

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

8 3. Attend, complete, and be evaluated before and after
9 attendance by a treatment program for domestic abusers, certified by
10 the Attorney General.

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

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

23 N. Any plea of guilty or finding of guilt for a violation of
24 subsection C, F, G, I or J of this section shall constitute a

1 conviction of the offense for the purpose of this act or any other
2 criminal statute under which the existence of a prior conviction is
3 relevant for a period of ten (10) years following the completion of
4 any court imposed probationary term; provided, the person has not,
5 in the meantime, been convicted of a misdemeanor involving moral
6 turpitude or a felony.

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

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

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

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

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

3 2. "Violent crime" means any of the following felony offenses
4 and any attempts to commit or conspiracy or solicitation to commit
5 the following crimes:

6 a. assault, battery, or assault and battery with a
7 dangerous or deadly weapon, as provided for in
8 Sections 645 and 652 of Title 21 of the Oklahoma
9 Statutes,

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

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

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

20 e. shooting with intent to kill, as provided for in
21 Section 652 of Title 21 of the Oklahoma Statutes,

22 f. assault with intent to kill, as provided for in
23 Section 653 of Title 21 of the Oklahoma Statutes,
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- 1 g. assault with intent to commit a felony, as provided
2 for in Section 681 of Title 21 of the Oklahoma
3 Statutes,
- 4 h. assaults with a dangerous weapon while masked or
5 disguised, as provided for in Section 1303 of Title 21
6 of the Oklahoma Statutes,
- 7 i. murder in the first degree, as provided for in Section
8 701.7 of Title 21 of the Oklahoma Statutes,
- 9 j. murder in the second degree, as provided for in
10 Section 701.8 of Title 21 of the Oklahoma Statutes,
- 11 k. manslaughter in the first degree, as provided for in
12 Section 711 of Title 21 of the Oklahoma Statutes,
- 13 l. manslaughter in the second degree, as provided for in
14 Section 716 of Title 21 of the Oklahoma Statutes,
- 15 m. kidnapping, as provided for in Section 741 of Title 21
16 of the Oklahoma Statutes,
- 17 n. burglary in the first degree, as provided for in
18 Section 1431 of Title 21 of the Oklahoma Statutes,
- 19 o. burglary with explosives, as provided for in Section
20 1441 of Title 21 of the Oklahoma Statutes,
- 21 p. kidnapping for extortion, as provided for in Section
22 745 of Title 21 of the Oklahoma Statutes,
- 23 q. maiming, as provided for in Section 751 of Title 21 of
24 the Oklahoma Statutes,

- 1 r. robbery, as provided for in Section 791 of Title 21 of
2 the Oklahoma Statutes,
- 3 s. robbery in the first degree, as provided for in
4 Section 797 et seq. of Title 21 of the Oklahoma
5 Statutes,
- 6 t. robbery in the second degree, as provided for in
7 Section 797 et seq. of Title 21 of the Oklahoma
8 Statutes,
- 9 u. armed robbery, as provided for in Section 801 of Title
10 21 of the Oklahoma Statutes,
- 11 v. robbery by two or more persons, as provided for in
12 Section 800 of Title 21 of the Oklahoma Statutes,
- 13 w. robbery with dangerous weapon or imitation firearm, as
14 provided for in Section 801 of Title 21 of the
15 Oklahoma Statutes,
- 16 x. child abuse, as provided for in Section 843.5 of Title
17 21 of the Oklahoma Statutes,
- 18 y. wiring any equipment, vehicle or structure with
19 explosives, as provided for in Section 849 of Title 21
20 of the Oklahoma Statutes,
- 21 z. forcible sodomy, as provided for in Section 888 of
22 Title 21 of the Oklahoma Statutes,
- 23 aa. rape in the first degree, as provided for in Section
24 1114 of Title 21 of the Oklahoma Statutes,

- 1 bb. rape in the second degree, as provided for in Section
2 1114 of Title 21 of the Oklahoma Statutes,
- 3 cc. rape by instrumentation, as provided for in Section
4 1111.1 of Title 21 of the Oklahoma Statutes,
- 5 dd. lewd or indecent proposition or lewd or indecent act
6 with a child under sixteen (16) years of age or sexual
7 battery, as provided for in Section 1123 of Title 21
8 of the Oklahoma Statutes,
- 9 ee. use of a firearm or offensive weapon to commit or
10 attempt to commit a felony, as provided for in Section
11 1287 of Title 21 of the Oklahoma Statutes,
- 12 ff. pointing firearms, as provided for in Section 1279 of
13 Title 21 of the Oklahoma Statutes,
- 14 gg. rioting, as provided for in Section 1311 of Title 21
15 of the Oklahoma Statutes,
- 16 hh. inciting to riot, as provided for in Section 1320.2 of
17 Title 21 of the Oklahoma Statutes,
- 18 ii. arson in the first degree, as provided for in Section
19 1401 of Title 21 of the Oklahoma Statutes,
- 20 jj. injuring or burning public buildings, as provided for
21 in Section 349 of Title 21 of the Oklahoma Statutes,
- 22 kk. sabotage, as provided for in Section 1262 of Title 21
23 of the Oklahoma Statutes,
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- 1 1l. criminal syndicalism, as provided for in Section 1261
2 of Title 21 of the Oklahoma Statutes,
3 mm. extortion, as provided for in Section 1481 of Title 21
4 of the Oklahoma Statutes,
5 nn. obtaining signature by extortion, as provided for in
6 Section 1485 of Title 21 of the Oklahoma Statutes,
7 oo. seizure of a bus, discharging firearm or hurling
8 missile at bus, as provided for in Section 1903 of
9 Title 21 of the Oklahoma Statutes,
10 pp. mistreatment of a mental patient, as provided for in
11 Section 843.1 of Title 21 of the Oklahoma Statutes,
12 qq. using a vehicle to facilitate the discharge of a
13 weapon pursuant to Section 652 of Title 21 of the
14 Oklahoma Statutes,
15 rr. bombing offenses as defined in Section 1767.1 of Title
16 21 of the Oklahoma Statutes,
17 ss. child pornography or aggravated child pornography as
18 defined in Section 1021.2, 1021.3, 1024.1 or 1040.12a
19 of Title 21 of the Oklahoma Statutes,
20 tt. child prostitution as defined in Section 1030 of Title
21 21 of the Oklahoma Statutes,
22 uu. abuse of a vulnerable adult as defined in Section 10-
23 103 of Title 43A of the Oklahoma Statutes who is a
24 resident of a nursing facility,

- 1 vv. aggravated trafficking as provided for in subsection C
2 of Section 2-415 of Title 63 of the Oklahoma Statutes,
3 ww. aggravated assault and battery upon any person
4 defending another person from assault and battery, as
5 provided for in Section 646 of Title 21 of the
6 Oklahoma Statutes,
7 xx. human trafficking as provided for in Section 748 of
8 Title 21 of the Oklahoma Statutes, ~~or~~
9 yy. terrorism crimes as provided in Section 1268 et seq.
10 of Title 21 of the Oklahoma Statutes, or
11 zz. domestic assault and battery as provided for in
12 subsection C, D, E, F, G or J of Section 644 of Title
13 21 of the Oklahoma Statutes.

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

16 SECTION 4. This act shall become effective November 1, 2019.
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1 Passed the House of Representatives the 6th day of March, 2019.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2019.

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8 _____
9 Presiding Officer of the Senate