

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1117

By: Cleveland

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to crimes and punishments; amending
9 21 O.S. 2011, Section 13.1, as amended by Section 1,
10 Chapter 231, O.S.L. 2014 (21 O.S. Supp. 2014, Section
11 13.1), which relates to required service of prison
12 sentence; modifying eligibility requirements for
13 earned credits; and providing an effective date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2011, Section 13.1, as
16 amended by Section 1, Chapter 231, O.S.L. 2014 (21 O.S. Supp. 2014,
17 Section 13.1), is amended to read as follows:

18 Section 13.1 Persons convicted of:

- 19 1. First degree murder as defined in Section 701.7 of this
20 title;
- 21 2. Second degree murder as defined by Section 701.8 of this
22 title;
- 23 3. Manslaughter in the first degree as defined by Section 711
24 of this title;

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

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

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

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

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

13 9. First degree robbery as defined in Section 797 of this
14 title;

15 10. First degree rape as provided for in Section 1115 of this
16 title;

17 11. First degree arson as defined in Section 1401 of this
18 title;

19 12. First degree burglary as provided for in Section 1436 of
20 this title;

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

22 14. Any crime against a child as provided for in Section 843.5
23 of this title;

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

1 16. Child pornography as defined in Section 1021.2, 1021.3 or
2 1024.1 of this title;

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

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

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

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

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

14 22. Human trafficking as provided for in Section 748 of this
15 title,

16 shall be required to serve not less than eighty-five percent (85%)
17 of any sentence of imprisonment imposed by the judicial system prior
18 to becoming eligible for consideration for parole. Persons
19 convicted and sentenced on or after January 1, 2016, of these
20 offenses shall ~~not~~ be eligible ~~for~~ to receive and accumulate earned
21 credits or any other type of credits ~~which have the effect of~~
22 ~~reducing the length of~~ while serving the sentence ~~to less than of~~
23 imprisonment. The Department of Corrections shall apply the
24 accumulated credits after eighty-five percent (85%) of the sentence

1 imposed has been served. The person shall be eligible for immediate
2 discharge if the sum of earned credits and service time equals the
3 total sentence length. The granting of earned credits shall be at
4 the discretion of the Director based on the criteria provided for in
5 Section 138 of Title 57 of the Oklahoma Statutes.

6 SECTION 2. This act shall become effective January 1, 2016.

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