

1 ENGROSSED HOUSE
2 BILL NO. 1117

By: Cleveland and Condit of the
House

3 and

4 Sharp and Boggs of the
5 Senate

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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; providing for parole consideration for
13 certain persons; providing conditions; providing
14 eligibility requirements; and providing an effective
15 date.

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

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

20 Section 13.1 Persons convicted of:

- 21 1. First degree murder as defined in Section 701.7 of this
22 title;
- 23 2. Second degree murder as defined by Section 701.8 of this
24 title;
3. Manslaughter in the first degree as defined by Section 711
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. Once the person
19 has served eighty-five (85%) of the sentence imposed, the person
20 shall be placed on the first available Pardon and Parole Board
21 docket immediately following the date upon which the person has
22 served the required term of imprisonment. Persons convicted of
23 these offenses shall ~~not~~ be eligible ~~for~~ to receive and accumulate
24 earned credits or any other type of credits ~~which have the effect of~~

1 ~~reducing the length of~~ while serving the sentence ~~to less than~~ of
2 imprisonment. In no instance shall the number of earned credits
3 accumulated by a person exceed five percent (5%) of the total number
4 of days of the prison sentence of the person. The Department of
5 Corrections may apply the accumulated credits after eighty-five
6 percent (85%) of the sentence imposed has been served; provided,
7 however, in no instance shall the application of earned credits
8 result in the immediate discharge of the person from custody. The
9 granting of earned credits shall be at the discretion of the
10 Director based on the criteria provided for in Section 138 of Title
11 57 of the Oklahoma Statutes.

12 SECTION 2. This act shall become effective November 1, 2015.

13 Passed the House of Representatives the 11th day of March, 2015.

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16 Presiding Officer of the House
of Representatives

17 Passed the Senate the ___ day of _____, 2015.

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20 Presiding Officer of the Senate