

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2159

By: Ford

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. Section 1992, which relates to the Laser
9 Safety Act; increasing penalties; updating language;
10 and providing an effective date.

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

12 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1992, is
13 amended to read as follows:

14 Section 1992. A. This section shall be known and may be cited
15 as the "Laser Safety Act".

16 B. Any person who knowingly and maliciously projects a laser,
17 as defined in this section, on or at a law enforcement officer
18 without the consent of the officer while the officer is acting
19 within the scope of the official duties of the officer shall, upon
20 conviction, be guilty of a misdemeanor ~~and upon conviction shall be~~
21 ~~punished~~ punishable by a fine of not more than ~~One Hundred Dollars~~
22 ~~(\$100.00)~~ Five Hundred Dollars (\$500.00), or by imprisonment in the
23 county jail for a period of not more than one (1) year, or by both
24 such fine and imprisonment. Any person who commits a second or

1 subsequent violation of this section shall, upon conviction, be
2 guilty of a ~~misdemeanor~~ felony punishable by a fine of not more than
3 ~~Five Hundred Dollars (\$500.00)~~ One Thousand Dollars (\$1,000.00), a
4 ~~term of~~ or by imprisonment in the ~~county jail~~ custody of the
5 Department of Corrections for a period of not more than ~~six (6)~~
6 ~~months~~ two (2) years, or by both such fine and imprisonment.

7 C. Anyone who knowingly aims the beam of a laser pointer at an
8 aircraft in flight or at the flight path of an aircraft shall, upon
9 conviction, be guilty of a ~~misdemeanor~~ and upon conviction shall be
10 ~~punished~~ felony punishable by a fine of not more than ~~One Hundred~~
11 ~~Dollars (\$100.00)~~ One Thousand Dollars (\$1,000.00), or by
12 imprisonment in the custody of the Department of Corrections for a
13 period of not less than three (3) months nor more than two (2)
14 years, or by both such fine and imprisonment. Any person who
15 commits a second or subsequent violation of this section shall, upon
16 conviction, be guilty of a ~~misdemeanor~~ felony punishable by a fine
17 of not more than ~~Five Hundred Dollars (\$500.00)~~ Five Thousand
18 Dollars (\$5,000.00), a ~~term of~~ or by imprisonment in the ~~county jail~~
19 custody of the Department of Corrections for a period of not less
20 than one (1) year nor more than six (6) months five (5) years, or by
21 both such fine and imprisonment.

22 D. This section does not prohibit aiming a beam of a laser
23 pointer at an aircraft, or the flight path of such an aircraft by:
24

1 1. An authorized individual in the conduct of research and
2 development or flight test operations conducted by an aircraft
3 manufacturer, the Federal Aviation Administration, or any other
4 person authorized by the Federal Aviation Administration to conduct
5 research and development or flight test operations;

6 2. Members or elements of the Department of Defense or
7 Department of Homeland Security acting in an official capacity for
8 the purpose of research, development, operations, testing or
9 training; or

10 3. By an individual using a laser emergency signaling device to
11 send an emergency distress signal.

12 E. As used in this section:

13 1. "Laser" or "laser pointer" means any device designed or used
14 to amplify electromagnetic radiation by stimulated emission that
15 emits a beam designed to be used by the operator as a pointer or
16 highlighter to indicate, mark or identify a specific position,
17 place, item or object; and

18 2. "Law enforcement officer" means any police officer, peace
19 officer, sheriff, deputy sheriff, correctional officer, probation or
20 parole officer, emergency management employee, judge, magistrate, or
21 any employee of a governmental agency who is authorized by law to
22 engage in the investigation, arrest, prosecution, or supervision of
23 the incarceration of any person for any violation of law and has
24 statutory powers of arrest.

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SECTION 2. This act shall become effective November 1, 2023.

59-1-5136 GRS 11/10/22