

An Act

ENROLLED HOUSE
BILL NO. 3450

By: Boatman and Provenzano of
the House

and

Weaver of the Senate

An Act relating to child prostitution; amending 21 O.S. 2021, Section 13.1, which relates to required minimum sentences; modifying name of certain unlawful act; amending 21 O.S. 2021, Section 843.5, which relates to penalties for child abuse; modifying name of certain unlawful act; amending 21 O.S. 2021, Sections 1029, as last amended by Section 1, Chapter 265, O.S.L. 2023, 1030 and 1031, as amended by Section 2, Chapter 265, O.S.L. 2023 (21 O.S. Supp. 2023, Sections 1029 and 1031), which relate to the Oklahoma Law on Obscenity and Child Pornography; modifying name of certain unlawful act; amending 21 O.S. 2021, Sections 1087 and 1088, which relate to child prostitution; modifying name of certain unlawful act; amending 22 O.S. 2021, Section 40, which relates to definitions of certain criminal offenses; modifying name of certain unlawful act; amending 22 O.S. 2021, Section 126, which relates to jurisdiction for kidnapping offenses; increasing age requirement; clarifying circumstance that dictates jurisdiction for certain kidnapping offense; amending 22 O.S. 2021, Section 991h, which relates to no contact orders by the court; modifying name of certain unlawful act; amending 57 O.S. 2021, Section 138, which relates to earned credits for good conduct; modifying name of certain unlawful act; amending 57 O.S. 2021, Section 332.16, which relates to parole recommendations; modifying name of certain unlawful act; amending 57 O.S. 2021, Section 571, as amended by Section 2, Chapter 212, O.S.L. 2023 (57 O.S. Supp. 2023, Section 571), which relates to

violent crime definition; modifying name of certain unlawful act; amending 57 O.S. 2021, Section 582, which relates to the Sex Offenders Registration Act; modifying name of certain unlawful act; amending 74 O.S. 2021, Section 151.1, which relates to the Internet Crimes Against Children Unit; modifying name of certain unlawful act; and providing an effective date.

SUBJECT: Child prostitution

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 13.1, is amended to read as follows:

Section 13.1 Persons convicted of:

1. First degree murder as defined in Section 701.7 of this title;
2. Second degree murder as defined by Section 701.8 of this title;
3. Manslaughter in the first degree as defined by Section 711 of this title;
4. Poisoning with intent to kill as defined by Section 651 of this title;
5. Shooting with intent to kill, use of a vehicle to facilitate use of a firearm, crossbow or other weapon, assault, battery, or assault and battery with a deadly weapon or by other means likely to produce death or great bodily harm, as provided for in Section 652 of this title;
6. Assault with intent to kill as provided for in Section 653 of this title;
7. Conjoint robbery as defined by Section 800 of this title;

8. Robbery with a dangerous weapon as defined in Section 801 of this title;
9. First degree robbery as defined in Section 797 of this title;
10. First degree rape as provided for in Section 1111, 1114 or 1115 of this title;
11. First degree arson as defined in Section 1401 of this title;
12. First degree burglary as provided for in Section 1436 of this title;
13. Bombing as defined in Section 1767.1 of this title;
14. Any crime against a child provided for in Section 843.5 of this title;
15. Forcible sodomy as defined in Section 888 of this title;
16. Child pornography or aggravated child pornography as defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of this title;
17. Child ~~prostitution~~ sex trafficking as defined in Section 1030 of this title;
18. Lewd molestation of a child as defined in Section 1123 of this title;
19. Abuse of a vulnerable adult as defined in Section 10-103 of Title 43A of the Oklahoma Statutes;
20. Aggravated trafficking as provided for in subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes;
21. Aggravated assault and battery upon any person defending another person from assault and battery; or
22. Human trafficking as provided for in Section 748 of this title,

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

SECTION 2. AMENDATORY 21 O.S. 2021, Section 843.5, is amended to read as follows:

Section 843.5 A. Any person who shall willfully or maliciously engage in child abuse, as defined in this section, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

B. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in enabling child abuse, as defined in this section, shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

C. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in child neglect, as defined in this section, shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

D. Any parent or other person who shall willfully or maliciously engage in enabling child neglect shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

E. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in child sexual abuse, as defined in this section, shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment, except as provided in Section 51.1a of this title or as otherwise provided in subsection F of this section for a child victim under twelve (12) years of age. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

F. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in child sexual abuse, as defined in this section, to a child under twelve (12) years of age shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections for not less than twenty-five (25) years nor more than life imprisonment, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00).

G. Any parent or other person who shall willfully or maliciously engage in enabling child sexual abuse shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

H. Any person who shall willfully or maliciously engage in child sexual exploitation, as defined in this section, shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than

Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment, except as provided in subsection I of this section for a child victim under twelve (12) years of age. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

I. Any person who shall willfully or maliciously engage in child sexual exploitation, as defined in this section, of a child under twelve (12) years of age shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections for not less than twenty-five (25) years nor more than life imprisonment, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00).

J. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in enabling child sexual exploitation, as defined in this section, shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

K. Notwithstanding any other provision of law, any person convicted of forcible anal or oral sodomy, rape, rape by instrumentation, or lewd molestation of a child under fourteen (14) years of age subsequent to a previous conviction for any offense of forcible anal or oral sodomy, rape, rape by instrumentation, or lewd molestation of a child under fourteen (14) years of age shall be punished by death or by imprisonment for life without parole.

L. Provided, however, that nothing contained in this section shall prohibit any parent or guardian from using reasonable and ordinary force pursuant to Section 844 of this title.

M. Consent shall not be a defense for any violation provided for in this section.

N. Notwithstanding the age requirements of other statutes referenced within this section, this section shall apply to any child under eighteen (18) years of age.

O. As used in this section:

1. "Child abuse" means:

- a. the willful or malicious harm or threatened harm or failure to protect from harm or threatened harm to the health, safety or welfare of a child under eighteen (18) years of age by a person responsible for a child's health, safety or welfare, or
- b. the act of willfully or maliciously injuring, torturing or maiming a child under eighteen (18) years of age by any person;

2. "Child neglect" means the willful or malicious neglect, as defined by Section 1-1-105 of Title 10A of the Oklahoma Statutes, of a child under eighteen (18) years of age by a person responsible for a child's health, safety or welfare;

3. "Child sexual abuse" means the willful or malicious sexual abuse of a child under eighteen (18) years of age by a person responsible for a child's health, safety or welfare and includes, but is not limited to:

- a. sexual intercourse,
- b. penetration of the vagina or anus, however slight, by an inanimate object or any part of the human body not amounting to sexual intercourse,
- c. sodomy,
- d. incest, or
- e. a lewd act or proposal, as defined in this section;

4. "Child sexual exploitation" means the willful or malicious sexual exploitation of a child under eighteen (18) years of age by another and includes, but is not limited to:

- a. human trafficking, as provided for in Section 748 of this title, if the offense involved child trafficking for commercial sex,
- b. trafficking in children, as provided for in Section 866 of this title, if the offense was committed for the sexual gratification of any person,
- c. procuring or causing the participation of a minor in child pornography, as provided for in Section 1021.2 of this title,
- d. purchase, procurement or possession of child pornography, as provided for in Section 1024.2 of this title,
- e. engaging in or soliciting prostitution, as provided for in Section 1029 of this title, if the offense involved child ~~prostitution~~ sex trafficking,
- f. publication, distribution or participation in the preparation of obscene material, as provided for in Section 1040.8 of this title, if the offense involved child pornography,
- g. aggravated possession of child pornography, as provided for in Section 1040.12a of this title,
- h. sale or distribution of obscene material, as provided for in Section 1040.13 of this title,
- i. soliciting sexual conduct or communication with a minor by use of technology, as provided for in Section ~~1043.13a~~ 1040.13a of this title,
- j. offering or transporting a child for purposes of ~~prostitution~~ child sex trafficking, as provided for in Section 1087 of this title, and
- k. child ~~prostitution~~ sex trafficking, as provided for in Section 1088 of this title;

5. "Enabling child abuse" means the causing, procuring or permitting of child abuse by a person responsible for a child's health, safety or welfare;

6. "Enabling child neglect" means the causing, procuring or permitting of child neglect by a person responsible for a child's health, safety or welfare;

7. "Enabling child sexual abuse" means the causing, procuring or permitting of child sexual abuse by a person responsible for a child's health, safety or welfare;

8. "Enabling child sexual exploitation" means the causing, procuring or permitting of child sexual exploitation by a person responsible for a child's health, safety or welfare;

9. "Incest" means marrying, committing adultery or fornicating with a child by a person responsible for the health, safety or welfare of a child;

10. "Lewd act or proposal" means:

- a. making any oral, written or electronic or computer-generated lewd or indecent proposal to a child for the child to have unlawful sexual relations or sexual intercourse with any person,
- b. looking upon, touching, mauling or feeling the body or private parts of a child in a lewd or lascivious manner or for the purpose of sexual gratification,
- c. asking, inviting, enticing or persuading any child to go alone with any person to a secluded, remote or secret place for a lewd or lascivious purpose,
- d. urinating or defecating upon a child or causing, forcing or requiring a child to defecate or urinate upon the body or private parts of another person for the purpose of sexual gratification,
- e. ejaculating upon or in the presence of a child,
- f. causing, exposing, forcing or requiring a child to look upon the body or private parts of another person for the purpose of sexual gratification,
- g. causing, forcing or requiring any child to view any obscene materials, child pornography or materials

deemed harmful to minors as such terms are defined in Sections 1024.1 and 1040.75 of this title,

- h. causing, exposing, forcing or requiring a child to look upon sexual acts performed in the presence of the child for the purpose of sexual gratification, or
- i. causing, forcing or requiring a child to touch or feel the body or private parts of the child or another person for the purpose of sexual gratification;

11. "Permit" means to authorize or allow for the care of a child by an individual when the person authorizing or allowing such care knows or reasonably should know that the child will be placed at risk of the conduct or harm proscribed by this section;

12. "Person responsible for a child's health, safety or welfare" for purposes of this section shall include, but not be limited to:

- a. the parent of the child,
- b. the legal guardian of the child,
- c. the custodian of the child,
- d. the foster parent of the child,
- e. a person eighteen (18) years of age or older with whom the parent of the child cohabitates, who is at least three (3) years older than the child,
- f. any other person eighteen (18) years of age or older residing in the home of the child, who is at least three (3) years older than the child,
- g. an owner, operator, agent, employee or volunteer of a public or private residential home, institution, facility or day treatment program, as defined in Section 175.20 of Title 10 of the Oklahoma Statutes, that the child attended,
- h. an owner, operator, agent, employee or volunteer of a child care facility, as defined in Section 402 of

Title 10 of the Oklahoma Statutes, that the child attended,

- i. an intimate partner of the parent of the child, as defined in Section 60.1 of Title 22 of the Oklahoma Statutes, or
- j. a person who has voluntarily accepted responsibility for the care or supervision of a child;

13. "Sexual intercourse" means the actual penetration, however slight, of the vagina or anus by the penis; and

14. "Sodomy" means:

- a. penetration, however slight, of the mouth of the child by a penis,
- b. penetration, however slight, of the vagina of a person responsible for a child's health, safety or welfare, by the mouth of a child,
- c. penetration, however slight, of the mouth of the person responsible for a child's health, safety or welfare by the penis of the child, or
- d. penetration, however slight, of the vagina of the child by the mouth of the person responsible for a child's health, safety or welfare.

SECTION 3. AMENDATORY 21 O.S. 2021, Section 1029, as last amended by Section 1, Chapter 265, O.S.L. 2023 (21 O.S. Supp. 2023, Section 1029), is amended to read as follows:

Section 1029. A. It shall further be unlawful:

- 1. To engage in prostitution, lewdness, or assignation;
- 2. To solicit, induce, or entice another person to pay or provide money or any other item or service of value to engage in an act of lewdness, assignation, or prostitution, with himself or herself;
- 3. To reside in, enter, or remain in any house, place, building, or other structure, or to enter or remain in any vehicle,

trailer, or other conveyance with the intent of committing an act of prostitution, lewdness, or assignation;

4. To knowingly offer money or any other item or service of value, or agree to provide or pay money or any other item or service of value to, or on behalf of, another person, for the purpose of engaging in sexual conduct, as defined in subsection B of Section 1024.1 of this title, with that person or another; or

5. To aid, abet, or participate in the doing of any of the acts prohibited in paragraph 1, 2, 3, or 4 of this subsection.

B. Any prohibited act described in paragraph 1, 2, 3, 4, or 5 of subsection A of this section committed with a person under eighteen (18) years of age shall be deemed child ~~prostitution~~ sex trafficking, as defined in Section 1030 of this title, and shall be punishable as provided in Section 1031 of this title.

C. No child who is a victim of human trafficking shall be subject to juvenile delinquency or criminal proceedings for the offenses described in subsection A of this section which occurred as a result of the child being a victim of human trafficking.

SECTION 4. AMENDATORY 21 O.S. 2021, Section 1030, is amended to read as follows:

Section 1030. As used in the Oklahoma Statutes, unless otherwise provided for by law:

1. "Prostitution" means:

- a. the giving or receiving of the body for sexual intercourse, fellatio, cunnilingus, masturbation, anal intercourse or lewdness with any person not his or her spouse, in exchange for money or any other thing of value, or
- b. the making of any appointment or engagement for sexual intercourse, fellatio, cunnilingus, masturbation, anal intercourse or lewdness with any person not his or her spouse, in exchange for money or any other thing of value;

2. "~~Child prostitution~~" "Child sex trafficking" means prostitution or lewdness as defined in this section with a person

under eighteen (18) years of age, in exchange for money or any other thing of value;

3. "Anal intercourse" means contact between human beings of the genital organs of one and the anus of another;

4. "Cunnilingus" means any act of oral stimulation of the vulva or clitoris;

5. "Fellatio" means any act of oral stimulation of the penis;

6. "Lewdness" means:

- a. any lascivious, lustful or licentious conduct,
- b. the giving or receiving of the body for indiscriminate sexual intercourse, fellatio, cunnilingus, masturbation, anal intercourse, or lascivious, lustful or licentious conduct with any person not his or her spouse, or
- c. any act in furtherance of such conduct or any appointment or engagement for prostitution; and

7. "Masturbation" means stimulation of the genital organs by manual or other bodily contact exclusive of sexual intercourse.

SECTION 5. AMENDATORY 21 O.S. 2021, Section 1031, as amended by Section 2, Chapter 265, O.S.L. 2023 (21 O.S. Supp. 2023, Section 1031), is amended to read as follows:

Section 1031. A. Except as provided in subsection B, C, D, or E of this section, any person violating any of the provisions of Section 1028, paragraph 1, 2, 3, or 5 of subsection A of Section 1029, or Section 1030 of this title shall, upon conviction, be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year or by fines as follows: a fine not more than Two Thousand Five Hundred Dollars (\$2,500.00) upon the first conviction for violation of any of such provisions, a fine not more than Five Thousand Dollars (\$5,000.00) upon the second conviction for violation of any of such provisions, and a fine not more than Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or subsequent convictions for violation of any of such provisions, or by both such imprisonment and fine. In addition, the court may require a term of

community service not less than forty (40) nor more than eighty (80) hours. The court in which any such conviction is had shall notify the county superintendent of public health of such conviction.

B. Any person who engages in an act of prostitution with knowledge that he or she is infected with the human immunodeficiency virus shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than five (5) years.

C. Any person who engages in an act of child ~~prostitution~~ sex trafficking as defined in Section 1030 of this title shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than ten (10) years and by fines as follows: a fine not more than Five Thousand Dollars (\$5,000.00) upon the first conviction, a fine not more than Ten Thousand Dollars (\$10,000.00) upon the second conviction, and a fine not more than Fifteen Thousand Dollars (\$15,000.00) upon the third or subsequent convictions.

D. Any person violating any of the provisions of Section 1028, 1029 or 1030 of this title within one thousand (1,000) feet of a school or church shall, upon conviction, be guilty of a felony and shall be punished by imprisonment in the custody of the Department of Corrections for not more than five (5) years or by fines as follows: a fine not more than Two Thousand Five Hundred Dollars (\$2,500.00) upon the first conviction for violation of any of such provisions, a fine not more than Five Thousand Dollars (\$5,000.00) upon the second conviction for violation of any of such provisions, and a fine not more than Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or subsequent convictions for violation of any of such provisions, or by both such imprisonment and fine. In addition, the court may require a term of community service not less than forty (40) nor more than eighty (80) hours. The court in which any such conviction is had shall notify the county superintendent of public health of such conviction.

E. Any person violating paragraph 4 of subsection A of Section 1029 of this title shall, upon conviction, be guilty of a felony and shall be punished in accordance with the provisions of subsection B of Section ~~3~~ 1040.57 of this ~~act~~ title.

SECTION 6. AMENDATORY 21 O.S. 2021, Section 1087, is amended to read as follows:

Section 1087. A. No person shall:

1. Offer, or offer to secure, a child under eighteen (18) years of age for the purpose of ~~prostitution~~ child sex trafficking, or for any other lewd or indecent act, or procure or offer to procure a child for, or a place for a child as an inmate in, a house of prostitution or other place where prostitution is practiced;

2. Receive or to offer or agree to receive any child under eighteen (18) years of age into any house, place, building, other structure, vehicle, trailer, or other conveyance for the purpose of ~~prostitution~~ child sex trafficking, lewdness, or assignation, or to permit any person to remain there for such purpose; or

3. Direct, take, or transport, or to offer or agree to take or transport, or aid or assist in transporting, any child under eighteen (18) years of age to any house, place, building, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the purpose of such directing, taking, or transporting is ~~prostitution~~ child sex trafficking, lewdness, or assignation.

B. 1. Any person violating the provisions of subsection A of this section shall, upon conviction, be guilty of a felony punishable by imprisonment of not less than one (1) year nor more than ten (10) years.

2. Any owner, proprietor, keeper, manager, conductor, or other person who knowingly permits any violation of this section in any house, building, room, or other premises or any conveyances under his or her control or of which he or she has possession shall, upon conviction for the first offense, be guilty of a misdemeanor and punishable by imprisonment in the county jail for a period of not less than six (6) months nor more than one (1) year, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00). Upon conviction for a subsequent offense pursuant to this subsection, such person shall be guilty of a felony and shall be punished by imprisonment in the custody of the Department of Corrections for a period of not less than one (1) year nor more than ten (10) years, or by a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

C. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a

violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 7. AMENDATORY 21 O.S. 2021, Section 1088, is amended to read as follows:

Section 1088. A. No person shall:

1. By promise, threats, violence, or by any device or scheme, including but not limited to the use of any controlled dangerous substance prohibited pursuant to the provisions of the Uniform Controlled Dangerous Substances Act, cause, induce, persuade, or encourage a child under eighteen (18) years of age to engage or continue to engage in ~~prostitution~~ child sex trafficking or to become or remain an inmate of a house of prostitution or other place where prostitution is practiced;

2. Keep, hold, detain, restrain, or compel against his or her will, any child under eighteen (18) years of age to engage in the practice of ~~prostitution~~ child sex trafficking or in a house of prostitution or other place where ~~prostitution~~ child sex trafficking is practiced or allowed; or

3. Directly or indirectly keep, hold, detain, restrain, or compel or attempt to keep, hold, detain, restrain, or compel a child under eighteen (18) years of age to engage in the practice of ~~prostitution~~ child sex trafficking or in a house of prostitution or any place where prostitution is practiced or allowed for the purpose of compelling such child to directly or indirectly pay, liquidate, or cancel any debt, dues, or obligations incurred, or said to have been incurred, by such child.

B. 1. Any person violating the provisions of this section other than paragraph 2 of this subsection, upon conviction, shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than twenty-five (25) years, and by a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00).

2. Any owner, proprietor, keeper, manager, conductor, or other person who knowingly permits a violation of this section in any house, building, room, tent, lot or premises under his or her control or of which he or she has possession, upon conviction for the first offense, shall be guilty of a misdemeanor punishable by imprisonment in the county jail for a period of not less than six (6) months nor more than one (1) year, and by a fine of not more than Five Thousand Dollars (\$5,000.00). Upon conviction for a subsequent offense pursuant to the provisions of this ~~subsection~~ paragraph, such person shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a period of not less than one (1) year nor more than ten (10) years, and by a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00).

C. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 8. AMENDATORY 22 O.S. 2021, Section 40, is amended to read as follows:

Section 40. As used in Sections 40 through 40.3 of this title:

1. "Assault and battery with a deadly weapon" means assault and battery with a deadly weapon or other means likely to produce death or great bodily harm as provided in Section 652 of Title 21 of the Oklahoma Statutes;

2. "Forcible sodomy" means the act of forcing another person to engage in the detestable and abominable crime against nature pursuant to Sections 886 and 887 of Title 21 of the Oklahoma Statutes that is punishable under Section 888 of Title 21 of the Oklahoma Statutes;

3. "Kidnapping" means kidnapping or kidnapping for purposes of extortion as provided in Sections 741 and 745 of Title 21 of the Oklahoma Statutes;

4. "Member of the immediate family" means the spouse, a child by birth or adoption, a stepchild, a parent by birth or adoption, a stepparent, a grandparent, a grandchild, a sibling or a stepsibling of a victim of first-degree murder;

5. "Rape" means an act of sexual intercourse accomplished with a person pursuant to Sections 1111, 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

6. "Sex offense" means the following crimes:

- a. sexual assault as provided in Section 681 of Title 21 of the Oklahoma Statutes,
- b. human trafficking for commercial sex as provided in Section 748 of Title 21 of the Oklahoma Statutes,
- c. sexual abuse or sexual exploitation by a caretaker as provided in Section 843.1 of Title 21 of the Oklahoma Statutes,
- d. child sexual abuse or child sexual exploitation as provided in Section 843.5 of Title 21 of the Oklahoma Statutes,
- e. permitting sexual abuse of a child as provided in Section 852.1 of Title 21 of the Oklahoma Statutes,
- f. incest as provided in Section 885 of Title 21 of the Oklahoma Statutes,
- g. forcible sodomy as provided in Section 888 of Title 21 of the Oklahoma Statutes,
- h. child stealing for purposes of sexual abuse or sexual exploitation as provided in Section 891 of Title 21 of the Oklahoma Statutes,
- i. indecent exposure or solicitation of minors as provided in Section 1021 of Title 21 of the Oklahoma Statutes,
- j. procuring, producing, distributing or possessing child pornography as provided in Sections 1021.2 and 1024.2 of Title 21 of the Oklahoma Statutes,

- k. parental consent to child pornography as provided in Section 1021.3 of Title 21 of the Oklahoma Statutes,
- l. aggravated possession of child pornography as provided in Section 1040.12a of Title 21 of the Oklahoma Statutes,
- m. distributing obscene material or child pornography as provided in Section 1040.13 of Title 21 of the Oklahoma Statutes,
- n. offering or soliciting sexual conduct with a child as provided in Section 1040.13a of Title 21 of the Oklahoma Statutes,
- o. procuring a child for ~~prostitution~~ child sex trafficking or other lewd acts as provided in Section 1087 of Title 21 of the Oklahoma Statutes,
- p. inducing a child to engage in ~~prostitution~~ child sex trafficking as provided in Section 1088 of Title 21 of the Oklahoma Statutes, and
- q. lewd or indecent proposals or acts to a child or sexual battery as provided in Section 1123 of Title 21 of the Oklahoma Statutes.

SECTION 9. AMENDATORY 22 O.S. 2021, Section 126, is amended to read as follows:

Section 126. The jurisdiction of an indictment or information:

1. For forcibly and without lawful authority seizing and confining another, or inveigling or kidnapping ~~him~~ the person, with intent, against his or her will, to cause ~~him~~ the person to be secretly confined or imprisoned in this state, or to be sent out of the state, or from one county to another; ~~or~~

2. For decoying or taking or enticing away a child under the age of twelve (12) years, with intent to detain and conceal ~~it~~ the child from ~~its~~ his or her parents, guardian, or other person having lawful charge of the child; ~~or~~

3. For the inveigling, enticing, or taking away an unmarried female of previous chaste character, under the age of twenty-one (21) years, for the purpose of prostitution; or

4. For taking away any ~~female child~~ under the age of ~~sixteen~~ ~~(16)~~ eighteen (18) years from his or her father, mother, guardian or other person having the legal charge of his or her person ~~without their consent either~~ for the purpose of ~~concubinage or prostitution~~ child sex trafficking,

~~Is~~ is in any county in which the offense is committed or into or out of which the person upon whom the offense was committed, may, in the commission of the offense, have been brought or in which an act was done by the defendant in instigating, procuring, promoting, aiding or in being an accessory to the commission of the offense, or in abetting the parties concerned therein.

SECTION 10. AMENDATORY 22 O.S. 2021, Section 991h, is amended to read as follows:

Section 991h. In addition to the other sentencing powers of the court, when sentencing a person who has been convicted, whether upon a verdict or plea of guilty or nolo contendere, or who has received a suspended sentence or any probationary term for a crime or an attempt to commit a crime provided for in:

1. Section 843.5 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation, as those terms are defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes;

2. Section 681 of Title 21 of the Oklahoma Statutes, if the offense involved sexual assault;

3. Section 741 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation;

4. Section 748 of Title 21 of the Oklahoma Statutes, if the offense involved human trafficking for commercial sex;

5. Section 843.1 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation;

6. Section 852.1 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse of a child;

7. Section 866, 885, 886, 888 or 891 of Title 21 of the Oklahoma Statutes, if the offense involved sexual abuse or sexual exploitation;

8. Section 1021, 1021.2, 1021.3, 1024.2 or 1029 of Title 21 of the Oklahoma Statutes, if the offense involved child ~~prostitution~~ sex trafficking;

9. Section 1040.8 of Title 21 of the Oklahoma Statutes, if the offense involved child pornography; or

10. Section 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1, 1114 or 1123 of Title 21 of the Oklahoma Statutes,

the court shall issue an order that the defendant shall have no contact directly or indirectly with the victim or the family of the victim during the full term of the confinement of the defendant, term of probation, period of deferment or term of confinement and probation of the defendant.

SECTION 11. AMENDATORY 57 O.S. 2021, Section 138, is amended to read as follows:

Section 138. A. Except as otherwise provided by law, every inmate of a state correctional institution shall have their term of imprisonment reduced monthly, based upon the class level to which they are assigned. Earned credits may be subtracted from the total credits accumulated by an inmate, upon recommendation of the institution's disciplinary committee, following due process, and upon approval of the warden or superintendent. Each earned credit is equivalent to one (1) day of incarceration. Lost credits may be restored by the warden or superintendent upon approval of the classification committee. If a maximum and minimum term of imprisonment is imposed, the provisions of this subsection shall apply only to the maximum term. No deductions shall be credited to any inmate serving a sentence of life imprisonment; however, a complete record of the inmate's participation in work, school, vocational training, or other approved program shall be maintained by the Department for consideration by the paroling authority. No earned credit deductions shall be credited or recorded for any inmate serving any sentence for a criminal act which resulted in the death of a police officer, a law enforcement officer, an employee of the Department of Corrections, or an employee of a private prison contractor and the death occurred while the police officer, law

enforcement officer, employee of the Department of Corrections, or employee of a private prison contractor was acting within the scope of their employment. No earned credit deductions shall be credited or recorded for any person who is referred to an intermediate revocation facility for violating any of the terms and conditions of probation.

B. The Department of Corrections is directed to develop a written policy and procedure whereby inmates shall be assigned to one of four class levels determined by an adjustment review committee of the facility to which the inmate is assigned. The policies and procedures developed by the Department shall include, but not be limited to, written guidelines pertaining to awarding credits for rehabilitation, obtaining job skills and educational enhancement, participation in and completion of alcohol/chemical abuse programs, incentives for inmates to accept work assignments and jobs, work attendance and productivity, conduct record, participation in programs, cooperative general behavior, and appearance. When assigning inmates to a class level, the adjustment review committee shall consider all aspects of the policy and procedure developed by the Department including but not limited to the criteria for awarding credits required by this subsection.

C. If an inmate is subject to misconduct, nonperformance or disciplinary action, earned credits may be removed according to the policies and procedures developed by the Department. Earned credits removed for misconduct, nonperformance or disciplinary action may be restored as provided by Department policy, if any.

D. 1. Class levels shall be as follows:

- a. Class level 1 shall include inmates not eligible to participate in class levels 2 through 4, and shall include, but not be limited to, inmates on escape status.
- b. Class level 2 shall include an inmate who has been given a work, education, or program assignment, has received a good evaluation for participation in the work, education, or program assignment, and has received a good evaluation for personal hygiene and maintenance of living area.
- c. Class level 3 shall include an inmate who has been incarcerated at least three (3) months, has received

an excellent work, education, or program evaluation, and has received an excellent evaluation for personal hygiene and maintenance of living area.

- d. Class level 4 shall include an inmate who has been incarcerated at least eight (8) months, has received an outstanding work, education, or program evaluation, and has received an outstanding evaluation for personal hygiene and maintenance of living area.
2. a. Until November 1, 2001, class level corresponding credits are as follows:
- Class 1 - 0 Credits per month;
 - Class 2 - 22 Credits per month;
 - Class 3 - 33 Credits per month;
 - Class 4 - 44 Credits per month.
- b. Class level corresponding credits beginning November 1, 2001, for inmates who have ever been convicted as an adult or a youthful offender or adjudicated delinquent as a juvenile for a felony offense enumerated in subsection E of this section are as follows:
- Class 1 - 0 Credits per month;
 - Class 2 - 22 Credits per month;
 - Class 3 - 33 Credits per month;
 - Class 4 - 44 Credits per month.
- c. Class level corresponding credits beginning November 1, 2001, for inmates who have never been convicted as an adult or a youthful offender or adjudicated delinquent as a juvenile for a felony offense enumerated in subsection E of this section are as follows:
- Class 1 - 0 Credits per month;

Class 2 - 22 Credits per month;

Class 3 - 45 Credits per month;

Class 4 - 60 Credits per month.

Each inmate shall receive the above specified monthly credits for the class to which he or she is assigned. In determining the prior criminal history of the inmate, the Department of Corrections shall review criminal history records available through the Oklahoma State Bureau of Investigation, Federal Bureau of Investigation, and National Crime Information Center to determine the reported felony convictions of all inmates. The Department of Corrections shall also review the Office of Juvenile Affairs Juvenile On-line Tracking System for inmates who were adjudicated delinquent or convicted as a youthful offender for a crime that would be an offense enumerated in subsection E of this section.

3. In addition to the criteria established for each class in paragraph 1 of this subsection, the following requirements shall apply to each of levels 2 through 4:

- a. satisfactory participation in the work, education, or program assignment at the standard required for the particular class level,
- b. maintenance of a clean and orderly living area and personal hygiene at the standard required for the particular class level,
- c. cooperative behavior toward facility staff and other inmates, and
- d. satisfactory participation in the requirements of the previous class level.

4. The evaluation scale for assessing performance shall be as follows:

- a. Outstanding - For inmates who display consistently exceptional initiative, motivation, and work habits.
- b. Excellent - For inmates who display above-average work habits with only minor errors and rarely perform below expectations.

- c. Good - For inmates who perform in a satisfactory manner and complete tasks as required, doing what is expected, with only occasional performance above or below expectations.
- d. Fair - For inmates who may perform satisfactorily for some periods of time, but whose performance is marked by obviously deficient and weak areas and could be improved.
- e. Poor - For inmates whose performance is unsatisfactory and falls below expected and acceptable standards.

E. No person ever convicted as an adult or a youthful offender or adjudicated delinquent as a juvenile in this state for any felony offense enumerated in this subsection or a similar felony offense pursuant to the provisions of another state, the United States, or a military court shall be eligible for the credits provided by the provisions of subparagraph c of paragraph 2 of subsection D of this section.

1. Assault, battery, or assault and battery with a dangerous weapon as defined by Section 645, subsection C of Section 652 of Title 21 or Section 2-219 of Title 43A of the Oklahoma Statutes;

2. Aggravated assault and battery on a police officer, sheriff, highway patrolman, or any other officer of the law as defined by Section 650, subsection C of Section 650.2, 650.5, subsection B of Section 650.6, or subsection C of Section 650.7 of Title 21 of the Oklahoma Statutes;

3. Poisoning with intent to kill as defined by Section 651 of Title 21 of the Oklahoma Statutes;

4. Shooting with intent to kill as defined by Section 652 of Title 21 of the Oklahoma Statutes;

5. Assault with intent to kill as defined by Section 653 of Title 21 of the Oklahoma Statutes;

6. Assault with intent to commit a felony as defined by Section 681 of Title 21 of the Oklahoma Statutes;

7. Assaults while masked or disguised as defined by Section 1303 of Title 21 of the Oklahoma Statutes;

8. Entering premises of another while masked as defined by Section 1302 of Title 21 of the Oklahoma Statutes;

9. Murder in the first degree as defined by Section 701.7 of Title 21 of the Oklahoma Statutes;

10. Solicitation for Murder in the first degree as defined by Section 701.16 of Title 21 of the Oklahoma Statutes;

11. Murder in the second degree as defined by Section 701.8 of Title 21 of the Oklahoma Statutes;

12. Manslaughter in the first degree as defined by Section 711, or 712 ~~or 714~~ of Title 21 of the Oklahoma Statutes;

13. Manslaughter in the second degree as defined by Section 716 or 717 of Title 21 of the Oklahoma Statutes;

14. Kidnapping as defined by Section 741 of Title 21 of the Oklahoma Statutes;

15. Burglary in the first degree as defined by Section 1431 of Title 21 of the Oklahoma Statutes;

16. Burglary with explosives as defined by Section 1441 of Title 21 of the Oklahoma Statutes;

17. Kidnapping for extortion as defined by Section 745 of Title 21 of the Oklahoma Statutes;

18. Maiming as defined by Section 751 of Title 21 of the Oklahoma Statutes;

19. Robbery as defined by Section 791 of Title 21 of the Oklahoma Statutes;

20. Robbery in the first degree as defined by Section 797 of Title 21 of the Oklahoma Statutes;

21. Robbery in the second degree as defined by Section 797 of Title 21 of the Oklahoma Statutes;

22. Armed robbery as defined by Section 801 of Title 21 of the Oklahoma Statutes;

23. Robbery by two or more persons as defined by Section 800 of Title 21 of the Oklahoma Statutes;

24. Robbery with dangerous weapon or imitation firearm as defined by Section 801 of Title 21 of the Oklahoma Statutes;

25. Any crime against a child provided for in Section 843.5 of Title 21 of the Oklahoma Statutes;

26. Wiring any equipment, vehicle or structure with explosives as defined by Section 849 of Title 21 of the Oklahoma Statutes;

27. Forcible sodomy as defined by Section 888 of Title 21 of the Oklahoma Statutes;

28. Rape in the first degree as defined by Sections 1111 and 1114 of Title 21 of the Oklahoma Statutes;

29. Rape in the second degree as defined by Sections 1111 and 1114 of Title 21 of the Oklahoma Statutes;

30. Rape by instrumentation as defined by Section 1111.1 of Title 21 of the Oklahoma Statutes;

31. Lewd or indecent proposition or lewd or indecent act with a child as defined by Section 1123 of Title 21 of the Oklahoma Statutes;

32. Sexual battery of a person over 16 as defined by Section 1123 of Title 21 of the Oklahoma Statutes;

33. Use of a firearm or offensive weapon to commit or attempt to commit a felony as defined by Section 1287 of Title 21 of the Oklahoma Statutes;

34. Pointing firearms as defined by Section 1289.16 of Title 21 of the Oklahoma Statutes;

35. Rioting as defined by Section 1311 or 1321.8 of Title 21 of the Oklahoma Statutes;

36. Inciting to riot as defined by Section 1320.2 of Title 21 of the Oklahoma Statutes;

37. Arson in the first degree as defined by Section 1401 of Title 21 of the Oklahoma Statutes;

38. Endangering human life during arson as defined by Section 1405 of Title 21 of the Oklahoma Statutes;

39. Injuring or burning public buildings as defined by Section 349 of Title 21 of the Oklahoma Statutes;

40. Sabotage as defined by Section 1262, 1265.4 or 1265.5 of Title 21 of the Oklahoma Statutes;

41. Extortion as defined by Section 1481 or 1486 of Title 21 of the Oklahoma Statutes;

42. Obtaining signature by extortion as defined by Section 1485 of Title 21 of the Oklahoma Statutes;

43. Seizure of a bus, discharging firearm or hurling missile at bus as defined by Section 1903 of Title 21 of the Oklahoma Statutes;

44. Mistreatment of a vulnerable adult as defined by Section 843.1 of Title 21 of the Oklahoma Statutes;

45. Sex offender providing services to a child as defined by Section 404.1 of Title 10 of the Oklahoma Statutes;

46. A felony offense of domestic abuse as defined by subsection C of Section 644 of Title 21 of the Oklahoma Statutes;

47. Prisoner placing body fluid on government employee as defined by Section 650.9 of Title 21 of the Oklahoma Statutes;

48. Poisoning food or water supply as defined by Section 832 of Title 21 of the Oklahoma Statutes;

49. Trafficking in children as defined by Section 866 of Title 21 of the Oklahoma Statutes;

50. Incest as defined by Section 885 of Title 21 of the Oklahoma Statutes;

51. Procure, produce, distribute, or possess juvenile pornography as defined by Section 1021.2 of Title 21 of the Oklahoma Statutes;

52. Parental consent to juvenile pornography as defined by Section 1021.3 of Title 21 of the Oklahoma Statutes;

53. Soliciting minor for indecent exposure as defined by Section 1021 of Title 21 of the Oklahoma Statutes;

54. Distributing obscene material or child pornography as defined by Section 1040.13 of Title 21 of the Oklahoma Statutes;

55. Child ~~prostitution~~ sex trafficking as defined by Section 1030 of Title 21 of the Oklahoma Statutes;

56. Procuring a minor for ~~prostitution~~ child sex trafficking or other lewd acts as defined by Section 1087 of Title 21 of the Oklahoma Statutes;

57. Transporting a child under ~~18~~ eighteen (18) years of age for purposes of ~~prostitution~~ child sex trafficking as defined by Section 1087 of Title 21 of the Oklahoma Statutes;

58. Inducing a minor to engage in ~~prostitution~~ child sex trafficking as defined by Section 1088 of Title 21 of the Oklahoma Statutes;

59. A felony offense of stalking as defined by subsection D of Section 1173 of Title 21 of the Oklahoma Statutes;

60. Spread of infectious diseases as defined by Section 1192 of Title 21 of the Oklahoma Statutes;

61. Advocate overthrow of government by force, commit or attempt to commit acts to overthrow the government, organize or provide assistance to groups to overthrow the government as defined by Section 1266, 1266.4 or 1267.1 of Title 21 of the Oklahoma Statutes;

62. Feloniously discharging a firearm as defined by Section 1289.17A of Title 21 of the Oklahoma Statutes;

63. Possession, use, manufacture, or threat of incendiary device as defined by Section 1767.1 of Title 21 of the Oklahoma Statutes;

64. Causing a personal injury accident while driving under the influence as defined by Section 11-904 of Title 47 of the Oklahoma Statutes; or

65. Using a motor vehicle to facilitate the discharge of a firearm as defined by Section 652 of Title 21 of the Oklahoma Statutes.

F. The policy and procedure developed by the Department of Corrections shall include provisions for adjustment review committees of not less than three members for each such committee. Each committee shall consist of a classification team supervisor who shall act as chairman, the case manager for the inmate being reviewed or classified, a correctional officer or inmate counselor, and not more than two other members, if deemed necessary, determined pursuant to policy and procedure to be appropriate for the specific adjustment review committee or committees to which they are assigned. At least once every four (4) months the adjustment review committee for each inmate shall evaluate the class level status and performance of the inmate and determine whether or not the class level for the inmate should be changed.

Any inmate who feels aggrieved by a decision made by an adjustment review committee may utilize normal grievance procedures in effect with the Department of Corrections and in effect at the facility in which the inmate is incarcerated.

G. Inmates granted medical leaves for treatment that cannot be furnished at the penal institution where incarcerated shall be allowed the time spent on medical leave as time served. Any inmate placed into administrative segregation for nondisciplinary reasons by the institution's administration may be placed in Class 2. The length of any jail term served by an inmate before being transported to a state correctional institution pursuant to a judgment and sentence of incarceration shall be deducted from the term of imprisonment at the state correctional institution. Inmates sentenced to the Department of Corrections and detained in a county jail as a result of the Department's reception scheduling procedure shall be awarded earned credits as provided for in subparagraph b of paragraph 1 of subsection D of this section, beginning on the date of the judgment and sentence, unless the inmate is convicted of a

misdemeanor or felony committed in the jail while the inmate is awaiting transport to the Lexington Assessment and Reception Center or other assessment and reception location determined by the Director of the Department of Corrections.

H. Additional achievement earned credits for successful completion of departmentally approved programs or for attaining goals or standards set by the Department shall be awarded as follows:

- Bachelor's degree.....200 credits;
- Associate's degree.....100 credits;
- High School Diploma or High School
Equivalency Diploma.....90 credits;
- Certification of Completion of
Vocational Training.....80 credits;
- Successful completion of
Alcohol/Chemical Abuse Treatment
Program of not less than four (4)
months continuous participation.....70 credits;
- Successful completion of other
Educational Accomplishments or
other programs not specified in
this subsection.....10-30 credits;

Achievement earned credits are subject to loss and restoration in the same manner as earned credits.

I. The accumulated time of every inmate shall be tallied monthly and maintained by the institution where the term of imprisonment is being served. A record of said accumulated time shall be:

1. Sent to the administrative office of the Department of Corrections on a quarterly basis; and
2. Provided to the inmate.

SECTION 12. AMENDATORY 57 O.S. 2021, Section 332.16, is amended to read as follows:

Section 332.16 A. No recommendation to the Governor for parole shall remain under consideration and in the possession of that office for a time longer than thirty (30) consecutive calendar days. Except as provided for in subsection B of this section, if upon expiration of the thirty-day time period no action is taken by the Governor to grant or deny parole, the recommendation for parole shall be deemed granted.

B. The Governor shall be required to review each parole recommendation and shall grant or deny parole for persons convicted of the following crimes:

1. Assault, battery, or assault and battery with a dangerous or deadly weapon as provided in Sections 645 and 652 of Title 21 of the Oklahoma Statutes;

2. Aggravated assault and battery on a police officer, sheriff, highway patrolman, or any other officer of the law as provided in Sections 650, 650.2, 650.5, 650.6 and 650.7 of Title 21 of the Oklahoma Statutes;

3. Poisoning with intent to kill as provided in Section 651 of Title 21 of the Oklahoma Statutes;

4. Shooting with intent to kill as provided in Section 652 of Title 21 of the Oklahoma Statutes;

5. Assault with intent to kill as provided in Section 653 of Title 21 of the Oklahoma Statutes;

6. Assault with intent to commit a felony as provided in Section 681 of Title 21 of the Oklahoma Statutes;

7. Assaults while masked or disguised as provided in Section 1303 of Title 21 of the Oklahoma Statutes;

8. Murder in the first degree as provided in Section 701.7 of Title 21 of the Oklahoma Statutes;

9. Murder in the second degree as provided in Section 701.8 of Title 21 of the Oklahoma Statutes;

10. Manslaughter in the first degree as provided in ~~Sections~~ Section 711, or 712 ~~and 714~~ of Title 21 of the Oklahoma Statutes;

11. Manslaughter in the second degree as provided in Sections 716 and 717 of Title 21 of the Oklahoma Statutes;

12. Kidnapping as provided in Section 741 of Title 21 of the Oklahoma Statutes;

13. Burglary in the first degree as provided in Section 1431 of Title 21 of the Oklahoma Statutes;

14. Burglary with explosives as provided in Section 1441 of Title 21 of the Oklahoma Statutes;

15. Kidnapping for extortion as provided in Section 745 of Title 21 of the Oklahoma Statutes;

16. Maiming as provided in Section 751 of Title 21 of the Oklahoma Statutes;

17. Robbery as provided in Section 791 of Title 21 of the Oklahoma Statutes;

18. Robbery in the first degree as provided in Section 797 of Title 21 of the Oklahoma Statutes;

19. Robbery in the second degree as provided in Section 797 of Title 21 of the Oklahoma Statutes;

20. Robbery by two or more persons as provided in Section 800 of Title 21 of the Oklahoma Statutes;

21. Robbery with dangerous weapon or imitation firearm as provided in Section 801 of Title 21 of the Oklahoma Statutes;

22. Child abuse as provided in Section 843.5 of Title 21 of the Oklahoma Statutes;

23. Wiring any equipment, vehicle or structure with explosives as provided in Section 849 of Title 21 of the Oklahoma Statutes;

24. Forcible sodomy as provided in Section 888 of Title 21 of the Oklahoma Statutes;

25. Rape in the first degree as provided in Sections 1111 and 1114 of Title 21 of the Oklahoma Statutes;

26. Rape in the second degree as provided in Sections 1111 and 1114 of Title 21 of the Oklahoma Statutes;

27. Rape by instrumentation as provided in Section 1111.1 of Title 21 of the Oklahoma Statutes;

28. Lewd or indecent proposition or lewd or indecent act with a child as provided in Section 1123 of Title 21 of the Oklahoma Statutes;

29. Use of a firearm or offensive weapon to commit or attempt to commit a felony as provided in Section 1287 of Title 21 of the Oklahoma Statutes;

30. Pointing firearms as provided in Section 1289.16 of Title 21 of the Oklahoma Statutes;

31. Rioting as provided in Sections 1311 and 1321.8 of Title 21 of the Oklahoma Statutes;

32. Inciting to riot as provided in Section 1320.2 of Title 21 of the Oklahoma Statutes;

33. Arson in the first degree as provided in Section 1401 of Title 21 of the Oklahoma Statutes;

34. Injuring or burning public buildings as provided in Section 349 of Title 21 of the Oklahoma Statutes;

35. Sabotage as provided in Sections 1262, 1265.4 and 1265.5 of Title 21 of the Oklahoma Statutes;

36. Criminal syndicalism as provided in Section 1261 of Title 21 of the Oklahoma Statutes;

37. Extortion as provided in Sections 1481 and 1486 of Title 21 of the Oklahoma Statutes;

38. Obtaining signature by extortion as provided in Section 1485 of Title 21 of the Oklahoma Statutes;

39. Seizure of a bus, discharging firearm or hurling missile at bus as provided in Section 1903 of Title 21 of the Oklahoma Statutes;

40. Mistreatment of a mental patient as provided in Section 843.1 of Title 21 of the Oklahoma Statutes;

41. Using a vehicle to facilitate the discharge of a weapon as provided in Section 652 of Title 21 of the Oklahoma Statutes;

42. Aggravated drug trafficking as provided in Section 2-415 of Title 63 of the Oklahoma Statutes;

43. Racketeering as provided in Section 1403 of Title 22 of the Oklahoma Statutes;

44. Offenses of public corruption such as bribery of public officials as provided in Section 381 or 382 of Title 21 of the Oklahoma Statutes;

45. Embezzlement of public money as provided in Section 1451 et seq. of Title 21 or Section 641 of Title 19 of the Oklahoma Statutes;

46. Failure to pay and collect tax as provided in Section 1361 or 2385.3 of Title 68 of the Oklahoma Statutes;

47. Conspiracy to defraud the state as provided in Section 424 of Title 21 of the Oklahoma Statutes;

48. Child pornography as provided in Section 1021.2 or 1021.3 or defined in Section 1024.1 of Title 21 of the Oklahoma Statutes;

49. Child ~~prostitution~~ sex trafficking as defined by Section 1030 of Title 21 of the Oklahoma Statutes;

50. Abuse of a vulnerable adult as defined in Section 10-103 of Title 43A of the Oklahoma Statutes;

51. Terrorism crimes, including biochemical assault as provided in Section 1268 of Title 21 of the Oklahoma Statutes;

52. Trafficking of children as provided in Section 865 et seq. of Title 21 of the Oklahoma Statutes; or

53. Trafficking of humans as provided in Section 748 et seq. of Title 21 of the Oklahoma Statutes.

C. When the Pardon and Parole Board makes a recommendation for a compassionate parole pursuant to subsection B of Section 332.18 of this title, the Board shall forward all relevant documentation to the Governor within four (4) business days of the parole review of the inmate. Upon receipt, the Governor shall have four (4) business days to grant or deny the compassionate parole.

SECTION 13. AMENDATORY 57 O.S. 2021, Section 571, as amended by Section 2, Chapter 212, O.S.L. 2023 (57 O.S. Supp. 2023, Section 571), is amended to read as follows:

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

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

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

- a. assault, battery, or assault and battery with a dangerous or deadly weapon, as provided for in Sections 645 and 652 of Title 21 of the Oklahoma Statutes,
- b. assault, battery, or assault and battery with a deadly weapon or by other means likely to produce death or great bodily harm, as provided for in Section 652 of Title 21 of the Oklahoma Statutes,
- c. aggravated assault and battery on a police officer, sheriff, highway patrolman, or any other officer of the law, as provided for in Section 650 of Title 21 of the Oklahoma Statutes,
- d. poisoning with intent to kill, as provided for in Section 651 of Title 21 of the Oklahoma Statutes,
- e. shooting with intent to kill, as provided for in Section 652 of Title 21 of the Oklahoma Statutes,

- f. assault with intent to kill, as provided for in Section 653 of Title 21 of the Oklahoma Statutes,
- g. assault with intent to commit a felony, as provided for in Section 681 of Title 21 of the Oklahoma Statutes,
- h. assaults with a dangerous weapon while masked or disguised, as provided for in Section 1303 of Title 21 of the Oklahoma Statutes,
- i. murder in the first degree, as provided for in Section 701.7 of Title 21 of the Oklahoma Statutes,
- j. murder in the second degree, as provided for in Section 701.8 of Title 21 of the Oklahoma Statutes,
- k. manslaughter in the first degree, as provided for in Section 711 of Title 21 of the Oklahoma Statutes,
- l. manslaughter in the second degree, as provided for in Section 716 of Title 21 of the Oklahoma Statutes,
- m. kidnapping, as provided for in Section 741 of Title 21 of the Oklahoma Statutes,
- n. burglary in the first degree, as provided for in Section 1431 of Title 21 of the Oklahoma Statutes,
- o. burglary with explosives, as provided for in Section 1441 of Title 21 of the Oklahoma Statutes,
- p. kidnapping for extortion, as provided for in Section 745 of Title 21 of the Oklahoma Statutes,
- q. maiming, as provided for in Section 751 of Title 21 of the Oklahoma Statutes,
- r. robbery, as provided for in Section 791 of Title 21 of the Oklahoma Statutes,
- s. robbery in the first degree, as provided for in Section 797 et seq. of Title 21 of the Oklahoma Statutes,

- t. robbery in the second degree, as provided for in Section 797 et seq. of Title 21 of the Oklahoma Statutes,
- u. armed robbery, as provided for in Section 801 of Title 21 of the Oklahoma Statutes,
- v. robbery by two or more persons, as provided for in Section 800 of Title 21 of the Oklahoma Statutes,
- w. robbery with dangerous weapon or imitation firearm, as provided for in Section 801 of Title 21 of the Oklahoma Statutes,
- x. child abuse, as provided for in Section 843.5 of Title 21 of the Oklahoma Statutes,
- y. wiring any equipment, vehicle or structure with explosives, as provided for in Section 849 of Title 21 of the Oklahoma Statutes,
- z. forcible sodomy, as provided for in Section 888 of Title 21 of the Oklahoma Statutes,
- aa. rape in the first degree, as provided for in Section 1114 of Title 21 of the Oklahoma Statutes,
- bb. rape in the second degree, as provided for in Section 1114 of Title 21 of the Oklahoma Statutes,
- cc. rape by instrumentation, as provided for in Section 1111.1 of Title 21 of the Oklahoma Statutes,
- dd. lewd or indecent proposition or lewd or indecent act with a child under sixteen (16) years of age, as provided for in Section 1123 of Title 21 of the Oklahoma Statutes,
- ee. use of a firearm or offensive weapon to commit or attempt to commit a felony, as provided for in Section 1287 of Title 21 of the Oklahoma Statutes,
- ff. pointing firearms, as provided for in Section 1289.16 of Title 21 of the Oklahoma Statutes,

- gg. rioting, as provided for in Section 1311 of Title 21 of the Oklahoma Statutes,
- hh. inciting to riot, as provided for in Section 1320.2 of Title 21 of the Oklahoma Statutes,
- ii. arson in the first degree, as provided for in Section 1401 of Title 21 of the Oklahoma Statutes,
- jj. injuring or burning public buildings, as provided for in Section 349 of Title 21 of the Oklahoma Statutes,
- kk. sabotage, as provided for in Section 1262 of Title 21 of the Oklahoma Statutes,
- ll. criminal syndicalism, as provided for in Section 1261 of Title 21 of the Oklahoma Statutes,
- mm. extortion, as provided for in Section 1481 of Title 21 of the Oklahoma Statutes,
- nn. obtaining signature by extortion, as provided for in Section 1485 of Title 21 of the Oklahoma Statutes,
- oo. seizure of a bus, discharging firearm or hurling missile at bus, as provided for in Section 1903 of Title 21 of the Oklahoma Statutes,
- pp. mistreatment of a mental patient, as provided for in Section 843.1 of Title 21 of the Oklahoma Statutes,
- qq. using a vehicle to facilitate the discharge of a weapon pursuant to Section 652 of Title 21 of the Oklahoma Statutes,
- rr. bombing offenses as defined in Section 1767.1 of Title 21 of the Oklahoma Statutes,
- ss. child pornography or aggravated child pornography as defined in Section 1021.2, 1021.3, 1024.1 or 1040.12a of Title 21 of the Oklahoma Statutes,
- tt. child ~~prostitution~~ sex trafficking as defined in Section 1030 of Title 21 of the Oklahoma Statutes,

- uu. abuse of a vulnerable adult as defined in Section 10-103 of Title 43A of the Oklahoma Statutes,
- vv. aggravated trafficking as provided for in subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes,
- ww. aggravated assault and battery upon any person defending another person from assault and battery, as provided for in Section 646 of Title 21 of the Oklahoma Statutes,
- xx. human trafficking, as provided for in Section 748 of Title 21 of the Oklahoma Statutes,
- yy. terrorism crimes as provided in Section 1268 et seq. of Title 21 of the Oklahoma Statutes,
- zz. eluding a peace officer, as provided for in subsection B or C of Section 540A of Title 21 of the Oklahoma Statutes, or
- aaa. domestic abuse by strangulation, domestic assault with a dangerous weapon, domestic assault and battery with a dangerous weapon, domestic assault and battery resulting in great bodily injury, or domestic assault and battery with a deadly weapon, as provided for in Section 644 of Title 21 of the Oklahoma Statutes.

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

SECTION 14. AMENDATORY 57 O.S. 2021, Section 582, is amended to read as follows:

Section 582. A. The provisions of the Sex Offenders Registration Act shall apply to any person residing, working or attending school within the State of Oklahoma who, after November 1, 1989, has been convicted, whether upon a verdict or plea of guilty or upon a plea of nolo contendere, or received a suspended sentence or any probationary term, or is currently serving a sentence or any form of probation or parole for a crime or an attempt to commit a crime provided for in Section 843.5 of Title 21 of the Oklahoma Statutes if the offense involved sexual abuse or sexual exploitation as those terms are defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes, Section 681, if the offense involved sexual

assault, 741, if the offense involved sexual abuse or sexual exploitation, Section 748, if the offense involved human trafficking for commercial sex, Section 843.1, if the offense involved sexual abuse or sexual exploitation, Section 852.1, if the offense involved sexual abuse of a child, 856, if the offense involved child ~~prostitution~~ sex trafficking or human trafficking for commercial sex, 865 et seq., 885, 886, 888, 891, if the offense involved sexual abuse or sexual exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if the offense involved child ~~prostitution~~ sex trafficking, 1040.8, if the offense involved child pornography, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1, 1114 or 1123 of Title 21 of the Oklahoma Statutes.

B. The provisions of the Sex Offenders Registration Act shall apply to any person who after November 1, 1989, resides, works or attends school within the State of Oklahoma and who has been convicted or received a suspended sentence at any time in any court of another state, the District of Columbia, Puerto Rico, Guam, American Samoa, the Northern Mariana Islands and the United States Virgin Islands, a federal court, an Indian tribal court, a military court, or a court of a foreign country for a crime, attempted crime or a conspiracy to commit a crime which, if committed or attempted in this state, would be a crime, an attempt to commit a crime or a conspiracy to commit a crime provided for in any of the laws listed in subsection A of this section.

C. The provisions of the Sex Offenders Registration Act shall apply to any person who resides, works or attends school within the State of Oklahoma and who has received a deferred judgment at any time in any court of another state, the District of Columbia, Puerto Rico, Guam, American Samoa, the Northern Mariana Islands and the United States Virgin Islands, a federal court, an Indian tribal court, a military court, or a court of a foreign country for a crime, attempted crime or a conspiracy to commit a crime which, if committed or attempted or conspired to be committed in this state, would be a crime, an attempt to commit a crime or a conspiracy to commit a crime provided for in Section 843.5 of Title 21 of the Oklahoma Statutes if the offense involved sexual abuse or sexual exploitation as those terms are defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes, Section 681, if the offense involved sexual assault, 741, if the offense involved sexual abuse or sexual exploitation, Section 748, if the offense involved human trafficking for commercial sex, Section 843.1, if the offense involved sexual abuse or sexual exploitation, Section 852.1, if the offense involved sexual abuse of a child, 856, if the offense involved child

~~prostitution~~ sex trafficking or human trafficking for commercial sex, 865 et seq., 885, 886, 888, 891, if the offense involved sexual abuse or sexual exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if the offense involved child ~~prostitution~~ sex trafficking, 1040.8, if the offense involved child pornography, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1, 1114 or 1123 of Title 21 of the Oklahoma Statutes. The provisions of the Sex Offenders Registration Act shall not apply to any such person while the person is incarcerated in a maximum or medium correctional institution of the Department of Corrections.

D. On November 1, 2002, any person registered as a sex offender pursuant to Section 741 of Title 21 of the Oklahoma Statutes shall be summarily removed from the Sex Offender Registry by the Department of Corrections and all law enforcement agencies of any political subdivision of this state, unless the offense involved sexual abuse or sexual exploitation.

E. The provisions of the Sex Offenders Registration Act shall not apply to any such person who has received a criminal history records expungement for a conviction in another state for a crime or attempted crime which, if committed or attempted in this state, would be a crime or an attempt to commit a crime provided for in any laws listed in subsection A of this section.

F. The provisions of the Sex Offenders Registration Act shall apply to any person residing, working or attending school within this state who, after the effective date of this act, has been convicted, whether upon a verdict or plea of guilty or upon a plea of nolo contendere, or received a suspended sentence or any probationary term, or is currently serving a sentence or any form of probation or parole for a crime or an attempt to commit a crime as provided for in subsection G of Section 1040.13b of Title 21 of the Oklahoma Statutes.

G. The provisions of the Sex Offenders Registration Act shall apply to any person who resides, works or attends school within this state and who has received a deferred judgment at any time in any court of another state, the District of Columbia, Puerto Rico, Guam, American Samoa, the Northern Mariana Islands and the United States Virgin Islands, a federal court, an Indian tribal court, a military court, or a court of a foreign country for a crime, if committed in this state, would be a crime, as provided for in subsection F of Section 1040.13b of Title 21 of the Oklahoma Statutes. The provisions of the Sex Offenders Registration Act shall not apply to

any such person while the person is incarcerated in a maximum or medium correctional institution of the Department of Corrections.

SECTION 15. AMENDATORY 74 O.S. 2021, Section 151.1, is amended to read as follows:

Section 151.1 A. The Oklahoma State Bureau of Investigation shall establish an Internet Crimes Against Children (ICAC) ~~unit~~ Unit for the primary purpose of investigating Internet crimes committed against children, including, but not limited to, offenses related to child pornography and solicitation of minors for pornography, ~~prostitution or sex-related offenses~~ child sex trafficking. The ~~unit~~ Unit shall additionally promote safe Internet use among children and their parents by various media or printed-material campaigns or by offering educational programs to schools or communities throughout this state. The Bureau shall employ sufficient employees to investigate and implement the ICAC unit.

B. The Director of the Oklahoma State Bureau of Investigation is hereby authorized to enter into local cooperative agreements with local law enforcement agencies for the purpose of appointing ICAC Affiliate Task Force Agents to assist the ICAC ~~unit~~ Unit of the Bureau. ICAC Affiliate Task Force Agents shall be employees and commissioned law enforcement officers of the local law enforcement agency entering into agreement with the Oklahoma State Bureau of Investigation and shall not be employees of the Bureau. ICAC Affiliate Task Force Agents shall have general peace officer powers and the authority to arrest persons throughout the state for the purpose of investigating Internet crimes committed against children including, but not limited to, offenses related to child pornography, solicitation of minors for pornography, ~~prostitution or sex-related offenses~~ child sex trafficking. ICAC Affiliate Task Force Agents shall promote safe Internet use among children and parents of children by various media or printed-material campaigns or by offering educational programs to schools or communities throughout Oklahoma. The Director of the Bureau may renew, suspend or revoke any agreement appointing an ICAC Affiliate Task Force Agent at any time. ICAC Affiliate Task Force Agents serve solely at the discretion and will of the Director of the Oklahoma State Bureau of Investigation.

SECTION 16. This act shall become effective November 1, 2024.

Passed the House of Representatives the 21st day of February, 2024.

Presiding Officer of the House
of Representatives

Passed the Senate the 23rd day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____