

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 111

By: Standridge

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5  
6 AS INTRODUCED

7 An Act relating to crime and punishment; amending 21  
8 O.S. 2011, Section 13.1, as last amended by Section  
9 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp. 2020,  
10 Section 13.1), which relates to required service of  
11 minimum percentage of sentence; modifying inclusions;  
12 amending 21 O.S. 2011, Section 644, as last amended  
13 by Section 1, Chapter 200, O.S.L. 2019 (21 O.S. Supp.  
14 2020, Section 644), which relates to assault, assault  
15 and battery and domestic abuse; modifying certain  
16 offense; modifying certain penalty; amending 57 O.S.  
17 2011, Section 571, as last amended by Section 1,  
18 Chapter 28, O.S.L. 2020 (57 O.S. Supp. 2020, Section  
19 571), which relates to definitions; modifying  
20 inclusions; and providing an effective date.

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

22 SECTION 1. AMENDATORY 21 O.S. 2011, Section 13.1, as  
23 last amended by Section 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp.  
24 2020, 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;

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

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

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

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

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

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

15          9. First degree robbery as defined in Section 797 of this  
16 title;

17          10. First degree rape as provided for in Section 1111, 1114 or  
18 1115 of this title;

19          11. First degree arson as defined in Section 1401 of this  
20 title;

21          12. First degree burglary as provided for in Section 1436 of  
22 this title;

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

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1 14. Any crime against a child provided for in Section 843.5 of  
2 this title;

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

4 16. Child pornography or aggravated child pornography as  
5 defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of  
6 this title;

7 17. Child prostitution as defined in Section 1030 of this  
8 title;

9 18. Lewd molestation of a child as defined in Section 1123 of  
10 this title;

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

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

16 21. Aggravated assault and battery upon any person defending  
17 another person from assault and battery; ~~or~~

18 22. Human trafficking as provided for in Section 748 of this  
19 title;

20 23. Domestic assault and battery that results in great bodily  
21 injury to the victim as provided for in Section 644 of this title;

22 or

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1        24. Domestic assault and battery against a pregnant woman with  
2 knowledge of pregnancy and as a result, miscarriage or injury to the  
3 unborn child, as provided for in Section 644 of this title,  
4 shall be required to serve not less than eighty-five percent (85%)  
5 of any sentence of imprisonment imposed by the judicial system prior  
6 to becoming eligible for consideration for parole. Persons  
7 convicted of these offenses shall not be eligible for earned credits  
8 or any other type of credits which have the effect of reducing the  
9 length of the sentence to less than eighty-five percent (85%) of the  
10 sentence imposed.

11        SECTION 2.        AMENDATORY        21 O.S. 2011, Section 644, as last  
12 amended by Section 1, Chapter 200, O.S.L. 2019 (21 O.S. Supp. 2020,  
13 Section 644), is amended to read as follows:

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

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

22        C. Any person who commits any assault and battery against a  
23 current or former intimate partner or a family or household member  
24 as defined by Section 60.1 of Title 22 of the Oklahoma Statutes

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

11 D. 1. Any person who, with intent to do bodily harm and  
12 without justifiable or excusable cause, commits any assault,  
13 battery, or assault and battery upon an intimate partner or a family  
14 or household member as defined by Section 60.1 of Title 22 of the  
15 Oklahoma Statutes with any sharp or dangerous weapon, upon  
16 conviction, is guilty of domestic assault or domestic assault and  
17 battery with a dangerous weapon which shall be a felony and  
18 punishable by imprisonment in the custody of the Department of  
19 Corrections not exceeding ten (10) years, or by imprisonment in a  
20 county jail not exceeding one (1) year. The provisions of Section  
21 51.1 of this title shall apply to any second or subsequent  
22 conviction for a violation of this paragraph.

23 2. Any person who, without such cause, shoots an intimate  
24 partner or a family or household member as defined by Section 60.1

1 of Title 22 of the Oklahoma Statutes by means of any deadly weapon  
2 that is likely to produce death shall, upon conviction, be guilty of  
3 domestic assault and battery with a deadly weapon which shall be a  
4 felony punishable by imprisonment in the custody of the Department  
5 of Corrections not exceeding life. The provisions of Section 51.1  
6 of this title shall apply to any second or subsequent conviction for  
7 a violation of this paragraph.

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

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

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

22 F. Any person convicted of domestic abuse as defined in  
23 subsection C of this section that results in great bodily injury to  
24 the victim shall be guilty of a felony and punished by imprisonment

1 in the custody of the Department of Corrections for not more than  
2 ten (10) years, ~~or by imprisonment in the county jail for not more~~  
3 ~~than one (1) year.~~ The provisions of Section 51.1 of this title  
4 shall apply to any second or subsequent conviction of a violation of  
5 this subsection.

6 G. Any person convicted of domestic abuse as defined in  
7 subsection C of this section that was committed in the presence of a  
8 child shall be punished by imprisonment in the county jail for not  
9 less than six (6) months nor more than one (1) year, or by a fine  
10 not exceeding Five Thousand Dollars (\$5,000.00), or by both such  
11 fine and imprisonment. Any person convicted of a second or  
12 subsequent domestic abuse as defined in subsection C of this section  
13 that was committed in the presence of a child shall be punished by  
14 imprisonment in the custody of the Department of Corrections for not  
15 less than one (1) year nor more than five (5) years, or by a fine  
16 not exceeding Seven Thousand Dollars (\$7,000.00), or by both such  
17 fine and imprisonment. The provisions of Section 51.1 of this title  
18 shall apply to any second or subsequent offense. For every  
19 conviction of a domestic abuse crime in violation of any provision  
20 of this section committed against an intimate partner or a family or  
21 household member as defined by Section 60.1 of Title 22 of the  
22 Oklahoma Statutes, the court shall:

23 1. Specifically order as a condition of a suspended or deferred  
24 sentence that a defendant participate in counseling or undergo

1 treatment to bring about the cessation of domestic abuse as  
2 specified in paragraph 2 of this subsection;

3       2.    a.    The court shall require the defendant to complete an  
4               assessment and follow the recommendations of a  
5               batterers' intervention program certified by the  
6               Attorney General.  If the defendant is ordered to  
7               participate in a batterers' intervention program, the  
8               order shall require the defendant to attend the  
9               program for a minimum of fifty-two (52) weeks,  
10              complete the program, and be evaluated before and  
11              after attendance of the program by program staff.  
12              Three unexcused absences in succession or seven  
13              unexcused absences in a period of fifty-two (52) weeks  
14              from any court-ordered batterers' intervention program  
15              shall be prima facie evidence of the violation of the  
16              conditions of probation for the district attorney to  
17              seek acceleration or revocation of any probation  
18              entered by the court.

19        b.    A program for anger management, couples counseling, or  
20              family and marital counseling shall not solely qualify  
21              for the counseling or treatment requirement for  
22              domestic abuse pursuant to this subsection.  The  
23              counseling may be ordered in addition to counseling  
24              specifically for the treatment of domestic abuse or



1 per evaluation as set forth below. If, after  
2 sufficient evaluation and attendance at required  
3 counseling sessions, the domestic violence treatment  
4 program or licensed professional determines that the  
5 defendant does not evaluate as a perpetrator of  
6 domestic violence or does evaluate as a perpetrator of  
7 domestic violence and should complete other programs  
8 of treatment simultaneously or prior to domestic  
9 violence treatment, including but not limited to  
10 programs related to the mental health, apparent  
11 substance or alcohol abuse or inability or refusal to  
12 manage anger, the defendant shall be ordered to  
13 complete the counseling as per the recommendations of  
14 the domestic violence treatment program or licensed  
15 professional;

- 16 3. a. The court shall set a review hearing no more than one  
17 hundred twenty (120) days after the defendant is  
18 ordered to participate in a domestic abuse counseling  
19 program or undergo treatment for domestic abuse to  
20 assure the attendance and compliance of the defendant  
21 with the provisions of this subsection and the  
22 domestic abuse counseling or treatment requirements.  
23 The court may suspend sentencing of the defendant  
24 until the defendant has presented proof to the court

1 of enrollment in a program of treatment for domestic  
2 abuse by an individual licensed practitioner or a  
3 domestic abuse treatment program certified by the  
4 Attorney General and attendance at weekly sessions of  
5 such program. Such proof shall be presented to the  
6 court by the defendant no later than one hundred  
7 twenty (120) days after the defendant is ordered to  
8 such counseling or treatment. At such time, the court  
9 may complete sentencing, beginning the period of the  
10 sentence from the date that proof of enrollment is  
11 presented to the court, and schedule reviews as  
12 required by subparagraphs a and b of this paragraph  
13 and paragraphs 4 and 5 of this subsection. Three  
14 unexcused absences in succession or seven unexcused  
15 absences in a period of fifty-two (52) weeks from any  
16 court-ordered domestic abuse counseling or treatment  
17 program shall be prima facie evidence of the violation  
18 of the conditions of probation for the district  
19 attorney to seek acceleration or revocation of any  
20 probation entered by the court.

21 b. The court shall set a second review hearing after the  
22 completion of the counseling or treatment to assure  
23 the attendance and compliance of the defendant with  
24 the provisions of this subsection and the domestic

1 abuse counseling or treatment requirements. The court  
2 shall retain continuing jurisdiction over the  
3 defendant during the course of ordered counseling  
4 through the final review hearing;

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

9 5. At any review hearing, if the defendant is not  
10 satisfactorily attending individual counseling or a domestic abuse  
11 counseling or treatment program or is not in compliance with any  
12 domestic abuse counseling or treatment requirements, the court may  
13 order the defendant to further or continue counseling, treatment, or  
14 other necessary services. The court may revoke all or any part of a  
15 suspended sentence, deferred sentence, or probation pursuant to  
16 Section 991b of Title 22 of the Oklahoma Statutes and subject the  
17 defendant to any or all remaining portions of the original sentence;

18 6. At the first review hearing, the court shall require the  
19 defendant to appear in court. Thereafter, for any subsequent review  
20 hearings, the court may accept a report on the progress of the  
21 defendant from individual counseling, domestic abuse counseling, or  
22 the treatment program. There shall be no requirement for the victim  
23 to attend review hearings; and

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

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

11           H. As used in subsection G of this section, "in the presence of  
12 a child" means in the physical presence of a child; or having  
13 knowledge that a child is present and may see or hear an act of  
14 domestic violence. For the purposes of subsections C and G of this  
15 section, "child" may be any child whether or not related to the  
16 victim or the defendant.

17           I. For the purposes of subsections C and G of this section, any  
18 conviction for assault and battery against an intimate partner or a  
19 family or household member as defined by Section 60.1 of Title 22 of  
20 the Oklahoma Statutes shall constitute a sufficient basis for a  
21 felony charge:

22           1. If that conviction is rendered in any state, county or  
23 parish court of record of this or any other state; or  
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1           2. If that conviction is rendered in any municipal court of  
2 record of this or any other state for which any jail time was  
3 served; provided, no conviction in a municipal court of record  
4 entered prior to November 1, 1997, shall constitute a prior  
5 conviction for purposes of a felony charge.

6           J. Any person who commits any assault and battery with intent  
7 to cause great bodily harm by strangulation or attempted  
8 strangulation against an intimate partner or a family or household  
9 member as defined by Section 60.1 of Title 22 of the Oklahoma  
10 Statutes shall, upon conviction, be guilty of domestic abuse by  
11 strangulation and shall be punished by imprisonment in the custody  
12 of the Department of Corrections for a period of not less than one  
13 (1) year nor more than three (3) years, or by a fine of not more  
14 than Three Thousand Dollars (\$3,000.00), or by both such fine and  
15 imprisonment. Upon a second or subsequent conviction for a  
16 violation of this section, the defendant shall be punished by  
17 imprisonment in the custody of the Department of Corrections for a  
18 period of not less than three (3) years nor more than ten (10)  
19 years, or by a fine of not more than Twenty Thousand Dollars  
20 (\$20,000.00), or by both such fine and imprisonment. The provisions  
21 of Section 51.1 of this title shall apply to any second or  
22 subsequent conviction of a violation of this subsection. As used in  
23 this subsection, "strangulation" means any form of asphyxia;  
24 including, but not limited to, asphyxia characterized by closure of

1 the blood vessels or air passages of the neck as a result of  
2 external pressure on the neck or the closure of the nostrils or  
3 mouth as a result of external pressure on the head.

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

7 1. Attend a treatment program for domestic abusers certified by  
8 the Attorney General;

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

11 3. Attend, complete, and be evaluated before and after  
12 attendance by a treatment program for domestic abusers, certified by  
13 the Attorney General.

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

18 M. In the course of prosecuting any charge of domestic abuse,  
19 stalking, harassment, rape, or violation of a protective order, the  
20 prosecutor shall provide the court, prior to sentencing or any plea  
21 agreement, a local history and any other available history of past  
22 convictions of the defendant within the last ten (10) years relating  
23 to domestic abuse, stalking, harassment, rape, violation of a  
24

1 protective order, or any other violent misdemeanor or felony  
2 convictions.

3 N. Any plea of guilty or finding of guilt for a violation of  
4 subsection C, F, G, I or J of this section shall constitute a  
5 conviction of the offense for the purpose of this act or any other  
6 criminal statute under which the existence of a prior conviction is  
7 relevant for a period of ten (10) years following the completion of  
8 any court imposed probationary term; provided, the person has not,  
9 in the meantime, been convicted of a misdemeanor involving moral  
10 turpitude or a felony.

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

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

21 SECTION 3. AMENDATORY 57 O.S. 2011, Section 571, as last  
22 amended by Section 1, Chapter 28, O.S.L. 2020 (57 O.S. Supp. 2020,  
23 Section 571), is amended to read as follows:  
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1 Section 571. As used in the Oklahoma Statutes, unless another  
2 definition is specified:

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

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

10 a. assault, battery, or assault and battery with a  
11 dangerous or deadly weapon, as provided for in  
12 Sections 645 and 652 of Title 21 of the Oklahoma  
13 Statutes,

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

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

22 d. poisoning with intent to kill, as provided for in  
23 Section 651 of Title 21 of the Oklahoma Statutes,  
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- 1 e. shooting with intent to kill, as provided for in  
2 Section 652 of Title 21 of the Oklahoma Statutes,  
3 f. assault with intent to kill, as provided for in  
4 Section 653 of Title 21 of the Oklahoma Statutes,  
5 g. assault with intent to commit a felony, as provided  
6 for in Section 681 of Title 21 of the Oklahoma  
7 Statutes,  
8 h. assaults with a dangerous weapon while masked or  
9 disguised, as provided for in Section 1303 of Title 21  
10 of the Oklahoma Statutes,  
11 i. murder in the first degree, as provided for in Section  
12 701.7 of Title 21 of the Oklahoma Statutes,  
13 j. murder in the second degree, as provided for in  
14 Section 701.8 of Title 21 of the Oklahoma Statutes,  
15 k. manslaughter in the first degree, as provided for in  
16 Section 711 of Title 21 of the Oklahoma Statutes,  
17 l. manslaughter in the second degree, as provided for in  
18 Section 716 of Title 21 of the Oklahoma Statutes,  
19 m. kidnapping, as provided for in Section 741 of Title 21  
20 of the Oklahoma Statutes,  
21 n. burglary in the first degree, as provided for in  
22 Section 1431 of Title 21 of the Oklahoma Statutes,  
23 o. burglary with explosives, as provided for in Section  
24 1441 of Title 21 of the Oklahoma Statutes,

- 1 p. kidnapping for extortion, as provided for in Section  
2 745 of Title 21 of the Oklahoma Statutes,
- 3 q. maiming, as provided for in Section 751 of Title 21 of  
4 the Oklahoma Statutes,
- 5 r. robbery, as provided for in Section 791 of Title 21 of  
6 the Oklahoma Statutes,
- 7 s. robbery in the first degree, as provided for in  
8 Section 797 et seq. of Title 21 of the Oklahoma  
9 Statutes,
- 10 t. robbery in the second degree, as provided for in  
11 Section 797 et seq. of Title 21 of the Oklahoma  
12 Statutes,
- 13 u. armed robbery, as provided for in Section 801 of Title  
14 21 of the Oklahoma Statutes,
- 15 v. robbery by two or more persons, as provided for in  
16 Section 800 of Title 21 of the Oklahoma Statutes,
- 17 w. robbery with dangerous weapon or imitation firearm, as  
18 provided for in Section 801 of Title 21 of the  
19 Oklahoma Statutes,
- 20 x. child abuse, as provided for in Section 843.5 of Title  
21 21 of the Oklahoma Statutes,
- 22 y. wiring any equipment, vehicle or structure with  
23 explosives, as provided for in Section 849 of Title 21  
24 of the Oklahoma Statutes,
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- 1           z.     forcible sodomy, as provided for in Section 888 of  
2                 Title 21 of the Oklahoma Statutes,  
3           aa.    rape in the first degree, as provided for in Section  
4                 1114 of Title 21 of the Oklahoma Statutes,  
5           bb.    rape in the second degree, as provided for in Section  
6                 1114 of Title 21 of the Oklahoma Statutes,  
7           cc.    rape by instrumentation, as provided for in Section  
8                 1111.1 of Title 21 of the Oklahoma Statutes,  
9           dd.    lewd or indecent proposition or lewd or indecent act  
10                with a child under sixteen (16) years of age, as  
11                provided for in Section 1123 of Title 21 of the  
12                Oklahoma Statutes,  
13           ee.    use of a firearm or offensive weapon to commit or  
14                attempt to commit a felony, as provided for in Section  
15                1287 of Title 21 of the Oklahoma Statutes,  
16           ff.    pointing firearms, as provided for in Section 1279 of  
17                Title 21 of the Oklahoma Statutes,  
18           gg.    rioting, as provided for in Section 1311 of Title 21  
19                of the Oklahoma Statutes,  
20           hh.    inciting to riot, as provided for in Section 1320.2 of  
21                Title 21 of the Oklahoma Statutes,  
22           ii.    arson in the first degree, as provided for in Section  
23                1401 of Title 21 of the Oklahoma Statutes,  
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- 1           jj.   injuring or burning public buildings, as provided for  
2                    in Section 349 of Title 21 of the Oklahoma Statutes,  
3           kk.   sabotage, as provided for in Section 1262 of Title 21  
4                    of the Oklahoma Statutes,  
5           ll.   criminal syndicalism, as provided for in Section 1261  
6                    of Title 21 of the Oklahoma Statutes,  
7           mm.   extortion, as provided for in Section 1481 of Title 21  
8                    of the Oklahoma Statutes,  
9           nn.   obtaining signature by extortion, as provided for in  
10                   Section 1485 of Title 21 of the Oklahoma Statutes,  
11           oo.   seizure of a bus, discharging firearm or hurling  
12                   missile at bus, as provided for in Section 1903 of  
13                    Title 21 of the Oklahoma Statutes,  
14           pp.   mistreatment of a mental patient, as provided for in  
15                   Section 843.1 of Title 21 of the Oklahoma Statutes,  
16           qq.   using a vehicle to facilitate the discharge of a  
17                   weapon pursuant to Section 652 of Title 21 of the  
18                    Oklahoma Statutes,  
19           rr.   bombing offenses as defined in Section 1767.1 of Title  
20                    21 of the Oklahoma Statutes,  
21           ss.   child pornography or aggravated child pornography as  
22                    defined in Section 1021.2, 1021.3, 1024.1 or 1040.12a  
23                    of Title 21 of the Oklahoma Statutes,  
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- 1 tt. child prostitution as defined in Section 1030 of Title  
2 21 of the Oklahoma Statutes,
- 3 uu. abuse of a vulnerable adult as defined in Section 10-  
4 103 of Title 43A of the Oklahoma Statutes who is a  
5 resident of a nursing facility,
- 6 vv. aggravated trafficking as provided for in subsection C  
7 of Section 2-415 of Title 63 of the Oklahoma Statutes,
- 8 ww. aggravated assault and battery upon any person  
9 defending another person from assault and battery, as  
10 provided for in Section 646 of Title 21 of the  
11 Oklahoma Statutes,
- 12 xx. human trafficking, as provided for in Section 748 of  
13 Title 21 of the Oklahoma Statutes,
- 14 yy. terrorism crimes as provided in Section 1268 et seq.  
15 of Title 21 of the Oklahoma Statutes,
- 16 zz. eluding a peace officer, as provided for in subsection  
17 B or C of Section 540A of Title 21 of the Oklahoma  
18 Statutes, or
- 19 aaa. domestic abuse by strangulation, domestic assault with  
20 a dangerous weapon, domestic assault and battery with  
21 a dangerous weapon, ~~or~~ domestic assault and battery  
22 with a deadly weapon, or domestic assault and battery  
23 that results in great bodily injury to the victim, as

1 provided for in Section 644 of Title 21 of the  
2 Oklahoma Statutes.

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

5 SECTION 4. This act shall become effective November 1, 2021.

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7 58-1-578 BG 12/8/2020 10:03:03 AM  
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