

1 **SENATE FLOOR VERSION**

2 February 18, 2015

3 **AS AMENDED**

4 SENATE BILL NO. 112

5 By: Shaw of the Senate

6 **[crime and punishments - required service of prison**
7 **sentence - earned credits - effective date]**

8
9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. AMENDATORY 21 O.S. 2011, Section 13.1, as
11 last amended by Section 1, Chapter 231, O.S.L. 2014 (21 O.S. Supp.
12 2014, Section 13.1), is amended to read as follows:

13 Section 13.1. Persons convicted of:

14 1. First degree murder as defined in Section 701.7 of this
15 title;

16 2. Second degree murder as defined by Section 701.8 of this
17 title;

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

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

22 5. Shooting with intent to kill, use of a vehicle to facilitate
23 use of a firearm, crossbow or other weapon, assault, battery, or
24 assault and battery with a deadly weapon or by other means likely to

1 produce death or great bodily harm, as provided for in Section 652
2 of this title;

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

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

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

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

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

12 11. First degree arson as defined in Section 1401 of this
13 title;

14 12. First degree burglary as provided for in Section 1436 of
15 this title;

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

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

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

20 16. Child pornography as defined in Section 1021.2, 1021.3 or
21 1024.1 of this title;

22 17. Child prostitution as defined in Section 1030 of this
23 title;

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1 18. Lewd molestation of a child as defined in Section 1123 of
2 this title;

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

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

8 21. Aggravated assault and battery upon any person defending
9 another person from assault and battery; or

10 22. Human trafficking as provided for in Section 748 of this
11 title,

12 shall be required to serve not less than eighty-five percent (85%)
13 of any sentence of imprisonment imposed by the judicial system prior
14 to becoming eligible for consideration for parole. Persons
15 convicted of these offenses shall ~~not~~ be eligible ~~for~~ to receive and
16 accumulate earned credits or any other type of credits ~~which have~~
17 ~~the effect of reducing the length of the~~ while serving the sentence
18 ~~to less than~~ of imprisonment. The Department of Corrections shall
19 apply the accumulated credits after eighty-five percent (85%) of the
20 sentence imposed has been served. After eighty-five percent (85%)
21 of the sentence imposed has been served, the person shall be
22 eligible for immediate discharge if the sum of earned credits and
23 service time equals the total sentence length. The granting of
24 earned credits shall be at the discretion of the Director based on

1 the criteria provided for in Section 138 of Title 57 of the Oklahoma
2 Statutes.

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

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
5 February 18, 2015 - DO PASS AS AMENDED
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