

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 112

By: Young

AS INTRODUCED

An Act relating to crimes and punishments;
prohibiting sentences of life imprisonment without
parole and mandatory minimum sentences for juveniles;
directing court to consider mitigating circumstances;
providing for codification; and providing an
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 69 of Title 21, unless there is
created a duplication in numbering, reads as follows:

A. The following sentences shall not be imposed on any person
who was less than eighteen (18) years of age at the time the
criminal offense was committed:

1. A sentence of life imprisonment without the possibility of
parole; and

2. Any mandatory minimum sentence.

B. In addition to other factors required by law to be
considered prior to imposition of a sentence, when determining the
appropriate sentence for a person who has been certified as an adult

1 pursuant to certification procedures authorized in the Oklahoma
2 Juvenile Code and who has been subsequently tried and convicted of a
3 felony offense as an adult, the court shall consider the following
4 mitigating circumstances:

5 1. Age at the time of the offense;

6 2. Level of maturity and the ability to appreciate the risks
7 and consequences of the conduct;

8 3. Culpability;

9 4. Family and community environment;

10 5. Intellectual capacity;

11 6. Peer or familial pressure;

12 7. Ability to participate meaningfully in his or her defense;

13 8. Capacity for rehabilitation;

14 9. School records and special education evaluations;

15 10. Trauma history;

16 11. Faith and community involvement;

17 12. Involvement in the child welfare system; and

18 13. Any other mitigating factors or circumstances.

19 SECTION 2. This act shall become effective November 1, 2019.

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