

1 STATE OF OKLAHOMA

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

3 SENATE BILL 159

By: Young

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6 AS INTRODUCED

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

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

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

17 A. For offenses committed on or after the effective date of  
18 this act, the following sentences shall not be imposed on any person  
19 who was less than eighteen (18) years of age at the time the  
20 criminal offense was committed:

- 21 1. Life imprisonment without the possibility of parole; or
- 22 2. A mandatory minimum sentence carrying a term of imprisonment  
23 that exceeds twenty (20) years.

24 B. In addition to other factors required by law to be  
25 considered prior to imposition of a sentence, when determining the

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

6 1. Age at the time of the offense;

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

9 3. Culpability;

10 4. Family and community environment;

11 5. Intellectual capacity;

12 6. Peer or familial pressure;

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

14 8. Capacity for rehabilitation;

15 9. School records and special education evaluations;

16 10. Trauma history;

17 11. Community involvement;

18 12. Involvement in the child welfare system; and

19 13. Any other mitigating factors or circumstances.

20 SECTION 2. This act shall become effective November 1, 2021.

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22 58-1-981 BG 12/17/2020 2:05:52 PM  
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