1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	1st Session of the 55th Legislature (2015)
4	HOUSE BILL 1318 By: Sanders of the House
5	and
6	Loveless of the Senate
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9	AS INTRODUCED
10	An Act relating to crimes and punishments; amending
11	21 O.S. 2011, Section 649, which relates to assault and battery upon police officers; clarifying scope of prohibited act; and providing an effective date.
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15	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
16	SECTION 1. AMENDATORY 21 O.S. 2011, Section 649, is
17	amended to read as follows:
18	Section 649. A. Every person who, without justifiable or
19	excusable cause, knowingly commits any assault upon the person of a
20	police officer, sheriff, deputy sheriff, highway patrolman,
21	corrections personnel, or state peace officer employed or duly
22	appointed by any state governmental agency to enforce state laws
23	while said officer is in the performance of his or her duties is
24	punishable by imprisonment in the county jail not exceeding six (6)

- months, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.
- B. Every person who, without justifiable or excusable cause knowingly commits battery or assault and battery upon the person of a police officer, sheriff, deputy sheriff, highway patrolman, corrections personnel, or other state peace officer employed or duly appointed by any state governmental agency to enforce state laws while said officer is in the performance of his or her duties, upon conviction, shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections of not more than five (5) years in a state correctional institution or county jail for a period not to exceed one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.
- C. As used in this section and in Section 650 of this title,
 "corrections personnel" means any person, employed or duly appointed
 by the state or by a political subdivision, who has direct contact
 with inmates of a jail or state correctional facility, and includes
 but is not limited to, Department of Corrections personnel in job
 classifications requiring direct contact with inmates, persons
 providing vocational-technical training to inmates, education
 personnel who have direct contact with inmates because of education
 programs for inmates, and persons employed or duly appointed by

1	county or municipal jails to supervise inmates or to provide medical
2	treatment or meals to inmates of jails.
3	D. For purposes of this section, if an officer is off duty and
4	the nature of the assault or assault and battery is related to the
5	official position of the officer, then it shall fall within the
6	meaning of "in the performance of his or her duties" as an officer.
7	SECTION 2. This act shall become effective November 1, 2015.
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9	COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/12/2015 - DO PASS, As Coauthored.
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