

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1299

By: **Roberts (Dustin)**

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to crimes and punishments; amending
10 21 O.S. 2011, Section 13.1, as last amended by
11 Section 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp.
12 2019, Section 13.1), which relates to minimum
13 mandatory sentences; adding certain offense to
14 minimum mandatory prison requirement; and providing
15 an effective date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2011, Section 13.1, as
18 last amended by Section 1, Chapter 290, O.S.L. 2015 (21 O.S. Supp.
19 2019, Section 13.1), is amended to read as follows:

20 Section 13.1 Persons convicted of:

21 1. First degree murder as defined in Section 701.7 of this
22 title;

23 2. Second degree murder as defined by Section 701.8 of this
24 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. Assault, battery, or assault and battery with a dangerous
13 weapon, as provided for in Section 645 of this title;

14 8. Conjoint robbery as defined by Section 800 of this title;

15 ~~8.~~ 9. Robbery with a dangerous weapon as defined in Section 801
16 of this title;

17 ~~9.~~ 10. First degree robbery as defined in Section 797 of this
18 title;

19 ~~10.~~ 11. First degree rape as provided for in Section 1111, 1114
20 or 1115 of this title;

21 ~~11.~~ 12. First degree arson as defined in Section 1401 of this
22 title;

23 ~~12.~~ 13. First degree burglary as provided for in Section 1436
24 of this title;

1 ~~13.~~ 14. Bombing as defined in Section 1767.1 of this title;
2 ~~14.~~ 15. Any crime against a child provided for in Section 843.5
3 of this title;
4 ~~15.~~ 16. Forcible sodomy as defined in Section 888 of this
5 title;
6 ~~16.~~ 17. Child pornography or aggravated child pornography as
7 defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of
8 this title;
9 ~~17.~~ 18. Child prostitution as defined in Section 1030 of this
10 title;
11 ~~18.~~ 19. Lewd molestation of a child as defined in Section 1123
12 of this title;
13 ~~19.~~ 20. Abuse of a vulnerable adult as defined in Section 10-
14 103 of Title 43A of the Oklahoma Statutes who is a resident of a
15 nursing facility;
16 ~~20.~~ 21. Aggravated trafficking as provided for in subsection C
17 of Section 2-415 of Title 63 of the Oklahoma Statutes;
18 ~~21.~~ 22. Aggravated assault and battery upon any person
19 defending another person from assault and battery; or
20 ~~22.~~ 23. Human trafficking as provided for in Section 748 of
21 this title,
22 shall be required to serve not less than eighty-five percent (85%)
23 of any sentence of imprisonment imposed by the judicial system prior
24 to becoming eligible for consideration for parole. Persons

1 convicted of these offenses shall not be eligible for earned credits
2 or any other type of credits which have the effect of reducing the
3 length of the sentence to less than eighty-five percent (85%) of the
4 sentence imposed.

5 SECTION 2. This act shall become effective November 1, 2020.

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7 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/02/2020 - DO PASS,
8 As Amended and Coauthored.

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