

1 **SENATE FLOOR VERSION**

2 February 19, 2025

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 871

6 By: Reinhardt

7 An Act relating to crimes and punishment; amending 21
8 O.S. 2021, Section 13.1, as amended by Section 1,
9 Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section
10 13.1), which relates to required service of minimum
11 percentage of sentence; modifying statutory
12 references to certain criminal offenses; modifying
13 name of certain unlawful act; adding certain criminal
14 offense; amending 21 O.S. 2021, Section 540A, which
15 relates to eluding peace officers; modifying certain
16 penalty provisions; updating statutory language; and
17 providing an effective date.

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

19 SECTION 1. AMENDATORY 21 O.S. 2021, Section 13.1, as
20 amended by Section 1, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024,
21 Section 13.1), is amended to read as follows:

22 Section 13.1. Persons convicted of:

23 1. First degree murder as ~~defined~~ provided for in Section 701.7
24 of this title;

2. Second degree murder as ~~defined by~~ provided for in Section
701.8 of this title;

- 1 3. Manslaughter in the first degree as ~~defined by~~ provided for
2 in Section 711 of this title;
- 3 4. Poisoning with intent to kill as ~~defined by~~ provided for in
4 Section 651 of 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. Conjoint robbery as ~~defined by~~ provided for in Section 800
13 of this title;
- 14 8. Robbery with a dangerous weapon as ~~defined~~ provided for in
15 Section 801 of this title;
- 16 9. First degree robbery as ~~defined~~ provided for in Section 797
17 of this title;
- 18 10. First degree rape as provided for in Section 1111~~7~~ or 1114
19 ~~or 1115~~ of this title;
- 20 11. First degree arson as ~~defined~~ provided for in Section 1401
21 of this title;
- 22 12. First degree burglary as provided for in Section ~~1436~~ 1431
23 of this title;
- 24

1 13. Bombing as ~~defined~~ provided for in Section 1767.1 of this
2 title;

3 14. Any crime against a child as provided for in Section 843.5
4 of this title;

5 15. Forcible sodomy as ~~defined~~ provided for in Section 888 of
6 this title;

7 16. Child ~~pornography~~ sexual abuse material or aggravated child
8 ~~pornography~~ sexual abuse material as ~~defined~~ provided for in Section
9 1021.2, 1021.3, 1024.1, 1024.2, or 1040.12a of this title;

10 17. Child sex trafficking as defined in Section 1030 of this
11 title;

12 18. Lewd molestation of a child as ~~defined~~ provided for in
13 Section 1123 of this title;

14 19. Abuse of a vulnerable adult as defined in Section 10-103 of
15 Title 43A of the Oklahoma Statutes;

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

18 21. Aggravated assault and battery as provided for in Section
19 646 of this title upon any person defending another person from
20 assault and battery; ~~or~~

21 22. Human trafficking as ~~provided for~~ defined in Section 748 of
22 this title; or

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1 23. Causing an accident, while eluding or attempting to elude
2 an officer, that results in great bodily injury to any other person
3 as provided for in Section 540A of this title,
4 shall be required to serve not less than eighty-five percent (85%)
5 of any sentence of imprisonment imposed by the judicial system prior
6 to becoming eligible for consideration for parole. Persons
7 convicted of these offenses shall not be eligible for earned credits
8 or any other type of credits which have the effect of reducing the
9 length of the sentence to less than eighty-five percent (85%) of the
10 sentence imposed.

11 SECTION 2. AMENDATORY 21 O.S. 2021, Section 540A, is
12 amended to read as follows:

13 Section 540A. A. Any operator of a motor vehicle who has
14 received a visual and audible signal, a red light, and a siren from
15 a peace officer driving a motor vehicle showing the same to be an
16 official police, sheriff, highway patrol, or state game ranger
17 vehicle directing the operator to bring the vehicle to a stop and
18 who willfully increases the speed or extinguishes the lights of the
19 vehicle in an attempt to elude such peace officer, or willfully
20 attempts in any other manner to elude the peace officer, or who does
21 elude such peace officer, is guilty of a misdemeanor. The peace
22 officer, while attempting to stop a violator of this section, may
23 communicate a request for the assistance of other peace officers
24 from any office, department, or agency. Any peace officer within

1 this state having knowledge of such request is authorized to render
2 such assistance in stopping the violator and may effect an arrest
3 under this section upon probable cause. Violation of this
4 subsection shall, upon conviction, constitute a misdemeanor ~~and~~
5 ~~shall be~~ punishable by not more than one (1) year of imprisonment in
6 the county jail ~~or,~~ by a fine ~~of~~ not less than One Hundred Dollars
7 (\$100.00) nor more than Two Thousand Dollars (\$2,000.00), or by both
8 such fine and imprisonment. A second or subsequent violation of
9 this subsection shall be punishable by not more than one (1) year of
10 imprisonment in the county jail ~~or,~~ by a fine ~~of~~ not less than Five
11 Hundred Dollars (\$500.00) nor more than Five Thousand Dollars
12 (\$5,000.00), or by both such fine and imprisonment.

13 B. Any person who violates the provisions of subsection A of
14 this section in such manner as to endanger any other person shall,
15 upon conviction, be deemed guilty of a felony punishable by
16 imprisonment in the ~~State Penitentiary~~ custody of the Department of
17 Corrections for a term ~~of~~ not less than one (1) year nor more than
18 five (5) years, ~~or~~ by a fine ~~of~~ not less than One Thousand Dollars
19 (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00), or by
20 both such fine and imprisonment.

21 C. 1. Any person who causes an accident, while eluding or
22 attempting to elude an officer, resulting in great bodily injury to
23 any other person while driving or operating a motor vehicle within
24 this state and who is in violation of the provisions of subsection A

1 of this section may be charged with a violation of the provisions of
2 this subsection. Any person who is convicted of a violation of the
3 provisions of this subsection shall be deemed guilty of a felony
4 punishable by imprisonment in ~~a state correctional institution~~ the
5 custody of the Department of Corrections for not less than ~~one (1)~~
6 ~~year and not~~ five (5) years nor more than ~~five (5)~~ seven (7) years,
7 and a fine ~~of~~ not more than Five Thousand Dollars (\$5,000.00).

8 2. As used in this subsection, "great bodily injury" means
9 bodily injury which creates a substantial risk of death or which
10 causes serious, permanent disfigurement or protracted loss or
11 impairment of the function of any bodily member or organ.

12 SECTION 3. This act shall become effective November 1, 2025.

13 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
14 February 19, 2025 - DO PASS AS AMENDED BY CS
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