

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 3283

                                  By: Humphrey

7                                   AS INTRODUCED

8                   An Act relating to crimes and punishments; amending  
9                   21 O.S. 2021, Sections 1692.1, 1692.2, 1692.3, 1692.4  
10                  and 1692.8, which relate to penalties for  
                      cockfighting; modifying scope of certain definition;  
11                  reducing penalties for certain lawful acts; updating  
                      statutory citations; and providing an effective date.

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

14           SECTION 1.           AMENDATORY           21 O.S. 2021, Section 1692.1, is  
15 amended to read as follows:

16           Section 1692.1 As used in this act:

17           ~~A. 1. "Cockfight" or "cockfighting" is a fight between birds,~~  
18 ~~whether or not fitted with artificial spurs, knives, or gaffs, and~~  
19 ~~whether or not bets or wagers are made on the outcome of the fight,~~  
20 ~~and includes any training fight in which birds are intended or~~  
21 ~~encouraged to attack or fight with one another.~~

22           B. 2. "Equipment used for training or handling a fighting bird"  
23 includes knives or gaffs, cages, pens, feeding apparatuses, training  
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1 pens and other related devices and equipment, and is hereby declared  
2 contraband and subject to seizure.

3 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1692.2, is  
4 amended to read as follows:

5 Section 1692.2 Every person who willfully instigates or  
6 encourages any cockfight, upon conviction, shall be guilty of a  
7 ~~felony~~ misdemeanor. The penalty for a violation of this section  
8 shall be as provided in Section ~~§~~ 1692.8 of this ~~act~~ title.

9 SECTION 3. AMENDATORY 21 O.S. 2021, Section 1692.3, is  
10 amended to read as follows:

11 Section 1692.3 Every person who keeps or provides any pit,  
12 building, or other place, or knowingly provides ~~any equipment or~~  
13 facilities to be used in permitting any cockfight, upon conviction,  
14 shall be guilty of a ~~felony~~ misdemeanor. The penalty for a  
15 violation of this section shall be as provided in Section ~~§~~ 1692.8  
16 of this ~~act~~ title.

17 SECTION 4. AMENDATORY 21 O.S. 2021, Section 1692.4, is  
18 amended to read as follows:

19 Section 1692.4 Every person who does any act or performs any  
20 service in the furtherance of or to facilitate any cockfight, upon  
21 conviction, shall be guilty of a ~~felony~~ misdemeanor. Such  
22 activities and services specifically prohibited by this section  
23 include, but are not limited to~~÷~~, promoting or refereeing of birds  
24 at a cockfight, ~~advertising a cockfight~~, or serving as a stakes

1 holder of any money wagered on any cockfight. The penalty for a  
2 violation of this section shall be as provided in Section ~~§~~ 1692.8  
3 of this ~~act~~ title.

4 SECTION 5. AMENDATORY 21 O.S. 2021, Section 1692.8, is  
5 amended to read as follows:

6 Section 1692.8 A. Every person who is guilty of a felony under  
7 any of the provisions of ~~Sections 2, 3, 4, or 5~~ Section 1692.5 of  
8 this ~~act~~ title shall be punished by imprisonment in the ~~state~~  
9 ~~penitentiary~~ custody of the Department of Corrections for not less  
10 than one (1) year nor more than ten (10) years, or shall be fined  
11 not less than Two Thousand Dollars (\$2,000.00) nor more than Twenty-  
12 five Thousand Dollars (\$25,000.00), or by both such fine and  
13 imprisonment.

14 B. Every person who, upon conviction, is guilty of any of the  
15 provisions of ~~Section 6~~ Sections 1692.2, 1692.3 or 1692.4 of this  
16 ~~act~~ title shall be punished by ~~imprisonment in the county jail for~~  
17 ~~not more than one (1) year, or shall be fined a fine not more than~~  
18 ~~exceeding Five Hundred Dollars (\$500.00), or by both such fine and~~  
19 ~~imprisonment.~~ For a second conviction, the person shall be punished  
20 by a fine not exceeding One Thousand Dollars (\$1,000.00). For a  
21 third or subsequent conviction, the person shall be punished by a  
22 fine not exceeding Two Thousand Dollars (\$2,000.00).  
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1 SECTION 6. This act shall become effective November 1, 2022.

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3 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,  
4 dated 02/10/2022 - DO PASS.  
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