

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2215

By: McDugle

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6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 1320.2, which relates to the
9 crime of incitement to riot; expanding scope of
10 prohibited acts; providing exemption from civil or
11 criminal liability for motor vehicle operators under
12 certain circumstances; providing for codification;
13 and providing an effective date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1320.2, is
16 amended to read as follows:

17 Section 1320.2 It shall be unlawful and shall constitute
18 incitement to riot for a person or persons, intending to cause, aid,
19 or abet the institution or maintenance of a riot, to do an act or
20 engage in conduct that urges other persons to commit acts of
21 unlawful ~~force~~:

22 1. Force or violence, ~~or the unlawful burning;~~

23 2. Burning or destroying of property, ~~or the unlawful~~
24 ~~interference;~~

1 3. Interference with a police officer, peace officer, fireman
2 or a member of the Oklahoma National Guard or any unit of the armed
3 services officially assigned to riot duty in the lawful performance
4 of his or her duty;

5 4. Obstruction of an exit or entrance into a private business;
6 or

7 5. Obstruction of any street, road, highway or thoroughfare in
8 this state used by the public.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 1320.11 of Title 21, unless
11 there is created a duplication in numbering, reads as follows:

12 A motor vehicle operator who unintentionally causes injury or
13 death to an individual shall not be criminally or civilly liable for
14 the injury or death, if the injury or death of the individual
15 occurred while the motor vehicle operator was fleeing from a riot,
16 as defined in Section 1311 of Title 21 of the Oklahoma Statutes,
17 under a reasonable belief that fleeing was necessary to protect the
18 motor vehicle operator from serious injury or death.

19 SECTION 3. This act shall become effective November 1, 2021.

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21 58-1-5075 GRS 01/14/21

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