

1 STATE OF OKLAHOMA

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

3 SENATE BILL 806

By: Weaver

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5
6 AS INTRODUCED

7 An Act relating to crime and punishment; creating the
8 Oklahoma Citizens' Protection Act; providing short
9 title; amending 21 O.S. 2011, Section 649, as last
10 amended by Section 1, Chapter 117, O.S.L. 2015 (21
11 O.S. Supp. 2020, Section 649), which relates to
12 assault and battery upon police officer; modifying
13 penalty; modifying inclusions; amending 21 O.S. 2011,
14 Sections 1312, 1315, 1316, 1317, 1320.4, 1320.5,
15 1362, 1754 and 1760, which relate to punishment for
16 riot and punishment for rout or unlawful assembly,
17 warning to disperse, presence after unlawful purpose
18 becomes known, penalty for riot or incitement to
19 riot, penalty for unlawful assembly, disturbance by
20 loud or unusual noise or abusive, violent, obscene,
21 profane or threatening language, punishment for
22 obstructing highways and malicious injury or
23 destruction of property; clarifying language,
24 modifying penalty; prohibiting certain blockage or
25 restriction; modifying penalty; amending 22 O.S.
26 2011, Section 1402, as amended by Section 1, Chapter
27 234, O.S.L. 2013 (22 O.S. Supp. 2020, Section 1402),
28 which relates to definitions; modifying inclusions;
29 providing for noncodification; and providing an
30 effective date.

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

32 SECTION 1. NEW LAW A new section of law not to be
33 codified in the Oklahoma Statutes reads as follows:
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1 This act shall be known and may be cited as the "Oklahoma
2 Citizens' Protection Act".

3 SECTION 2. AMENDATORY 21 O.S. 2011, Section 649, as last
4 amended by Section 1, Chapter 117, O.S.L. 2015 (21 O.S. Supp. 2020,
5 Section 649), is amended to read as follows:

6 Section 649. A. Every person who, without justifiable or
7 excusable cause, knowingly commits any assault upon the person of a
8 police officer, sheriff, deputy sheriff, highway patrolman,
9 corrections personnel, or state peace officer employed or duly
10 appointed by any state governmental agency to enforce state laws
11 while the officer is in the performance of his or her duties is a
12 misdemeanor punishable by imprisonment in the county jail not
13 ~~exceeding~~ less than six (6) months, ~~or~~ and by a fine not ~~exceeding~~
14 less than Five Hundred Dollars (\$500.00), ~~or by both such fine and~~
15 ~~imprisonment.~~

16 B. Every person who, without justifiable or excusable cause
17 knowingly commits battery or assault and battery upon the person of
18 a police officer, sheriff, deputy sheriff, highway patrolman,
19 corrections personnel, or other state peace officer employed or duly
20 appointed by any state governmental agency to enforce state laws
21 while the officer is in the performance of his or her duties, upon
22 conviction, shall be guilty of a felony punishable by imprisonment
23 in the custody of the Department of Corrections of not more than
24 five (5) years or county jail for a period not to exceed one (1)

1 year,~~or~~ and by a fine not ~~exceeding~~ less than Five Hundred Dollars
2 (\$500.00), ~~or by both such fine and imprisonment.~~

3 C. As used in this section and in Section 650 of this title,
4 "corrections personnel" means any person, employed or duly appointed
5 by the state or by a political subdivision, who has direct contact
6 with inmates of a jail or state correctional facility, and includes
7 but is not limited to, Department of Corrections personnel in job
8 classifications requiring direct contact with inmates, persons
9 providing vocational-technical training to inmates, education
10 personnel who have direct contact with inmates because of education
11 programs for inmates, and persons employed or duly appointed by
12 county or municipal jails to supervise inmates or to provide medical
13 treatment or meals to inmates of jails.

14 D. For the purposes of this section, assault and battery upon
15 law officers includes any willful and unlawful touching, including
16 threatening or attempting to touch, an officer in a way that was
17 harmful or offensive and any attempt to reach for or gain control of
18 the firearm of any police officer, sheriff, deputy sheriff, highway
19 patrol, corrections personnel as defined in Section 649 of this
20 title, or any peace officer employed by any state or federal
21 governmental agency to enforce state laws.

22 E. For purposes of this section, if an officer is off duty and
23 the nature of the assault or assault and battery relates back to, or
24 in any manner or circumstances has to do with, his or her official
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1 position as a law enforcement officer then it shall fall within the
2 meaning of "in the performance of his or her duties" as an officer.

3 F. This section shall not supersede any other act or acts, but
4 shall be cumulative thereto.

5 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1312, is
6 amended to read as follows:

7 Section 1312. Every person guilty of participating in any riot
8 is punishable as follows:

9 1. If any murder, maiming, robbery, rape or arson was committed
10 in the course of such riot, such person is punishable in the same
11 manner as a principal in such crime;

12 2. If the purpose of the riotous assembly was to resist the
13 execution of any statute of this state or of the United States, or
14 to obstruct any public officer of this state or of the United
15 States, in the performance of any legal duty, or in serving or
16 executing any legal process, such person shall be guilty of a felony
17 punishable by imprisonment in the ~~State Penitentiary~~ custody of the
18 Department of Corrections of not exceeding more than ten (10) years
19 and not less than two (2) years;

20 3. If such person carried at the time of such riot any species
21 of firearms, or other deadly or dangerous weapon, or was disguised,
22 such person shall be guilty of a felony punishable by imprisonment
23 in the ~~State Penitentiary~~ custody of the Department of Corrections
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1 of not exceeding more than ten (10) years and not less than two (2)
2 years;

3 4. If such person directed, advised, encouraged or solicited
4 other persons, who participated in the riot to acts of force or
5 violence, such person shall be guilty of a felony punishable by
6 imprisonment in the ~~State Penitentiary~~ custody of the Department of
7 Corrections of not exceeding more than twenty (20) years and not
8 less than two (2) years;

9 5. In all other cases such person is ~~punishable as for~~ guilty
10 of a misdemeanor punishable by imprisonment in the county jail not
11 exceeding one (1) year or by a fine of not less than Five Hundred
12 Dollars (\$500.00), or by such fine and imprisonment and by at least
13 forty (40) hours of community service work to be determined by the
14 court;

15 6. In addition to any sentence imposed for a violation of this
16 section, the court shall include an order of restitution for any
17 property damage or loss incurred as a result of the offense.

18 SECTION 4. AMENDATORY 21 O.S. 2011, Section 1315, is
19 amended to read as follows:

20 Section 1315. Every person who participates in any rout or
21 unlawful assembly is guilty of a misdemeanor punishable by
22 imprisonment in the county jail not exceeding one (1) year or by a
23 fine of not less than Five Hundred Dollars (\$500.00), or by such
24 fine and imprisonment and by at least forty (40) hours of community

1 service work to be determined by the court. In addition to any
2 sentence imposed for a violation of this section, the court shall
3 include an order of restitution for any property damage or loss
4 incurred as a result of the offense.

5 SECTION 5. AMENDATORY 21 O.S. 2011, Section 1316, is
6 amended to read as follows:

7 Section 1316. Every person remaining present at the place of
8 any riot, rout or unlawful assembly after the same has been lawfully
9 warned to disperse, except public officers and persons assisting
10 them in attempting to disperse the same, is guilty of a misdemeanor
11 punishable by imprisonment in the county jail not exceeding one (1)
12 year or by a fine of not less than Five Hundred Dollars (\$500.00),
13 or by such fine and imprisonment and by at least forty (40) hours of
14 community service work to be determined by the court. In addition
15 to any sentence imposed for a violation of this section, the court
16 shall include an order of restitution for any property damage or
17 loss incurred as a result of the offense.

18 SECTION 6. AMENDATORY 21 O.S. 2011, Section 1317, is
19 amended to read as follows:

20 Section 1317. Where three or more persons assemble for a lawful
21 purpose and afterwards proceed to commit an act that would amount to
22 riot if it had been the original purpose of the meeting, every
23 person who does not retire when the change of purpose is made known,
24 except public officers and persons assisting them in attempting to

1 disperse the same, is guilty of a misdemeanor punishable by
2 imprisonment in the county jail not exceeding one (1) year or by a
3 fine of not less than Five Hundred Dollars (\$500.00), or by such
4 fine and imprisonment and by at least forty (40) hours of community
5 service work to be determined by the court. In addition to any
6 sentence imposed for a violation of this section, the court shall
7 include an order of restitution for any property damage or loss
8 incurred as a result of the offense.

9 SECTION 7. AMENDATORY 21 O.S. 2011, Section 1320.4, is
10 amended to read as follows:

11 Section 1320.4. Any person guilty of the crime, as set forth in
12 Section 1320.2 of this title, shall be deemed guilty of a felony,
13 punishable by imprisonment in the custody of the Department of
14 Corrections of not more than ten (10) years ~~in prison~~, or a fine of
15 not more than Ten Thousand Dollars (\$10,000.00), or both such fine
16 and imprisonment.

17 SECTION 8. AMENDATORY 21 O.S. 2011, Section 1320.5, is
18 amended to read as follows:

19 Section 1320.5. Any person guilty of the crime, as set forth in
20 Section 1320.3 of this title, shall be deemed guilty of a felony,
21 punishable by imprisonment in the custody of the Department of
22 Corrections of not more than five (5) years ~~in prison~~, or a fine of
23 not more than Five Thousand Dollars (\$5,000.00), or both such fine
24 and imprisonment.

1 SECTION 9. AMENDATORY 21 O.S. 2011, Section 1362, is
2 amended to read as follows:

3 Section 1362. If any person shall willfully or maliciously
4 disturb, either by day or night, the peace and quiet of any city of
5 the first class, town, village, neighborhood, family or person by
6 loud or unusual noise, or by abusive, violent, obscene or profane
7 language, whether addressed to the party so disturbed or some other
8 person, or by threatening behavior or conduct toward others with the
9 intent to intimidate or harass, as defined in Section 1173 of this
10 title, or by threatening to kill, do bodily harm or injury, destroy
11 property, fight, or by quarreling or challenging to fight, or
12 fighting, or shooting off any firearms, or brandishing the same, or
13 by running any horse at unusual speed along any street, alley,
14 highway or public road, ~~he shall be deemed guilty of a misdemeanor,~~
15 ~~and, on conviction thereof, shall be fined in any sum not to exceed~~
16 ~~One Hundred Dollars (\$100.00), or punishable by imprisonment in the~~
17 ~~county jail not to exceed thirty (30) days, or a fine of not less~~
18 ~~than Five Hundred Dollars (\$500.00) or by both such fine and~~
19 ~~imprisonment, at the discretion of the court or jury trying the~~
20 ~~same.~~

21 SECTION 10. AMENDATORY 21 O.S. 2011, Section 1754, is
22 amended to read as follows:

23 Section 1754. A. Every person who shall knowingly and
24 willfully ~~obstruct:~~

1 1. Obstruct or plow up, or cause to be obstructed or plowed up,
2 any public highway or public street of any town, except by order of
3 the road supervisors for the purpose of working the same, ~~or injure;~~

4 2. Injure or damage any bridge on the public highway; or

5 3. Block or restrict traffic on any public highway or public
6 street as a result of a riot, as provided in Section 1311 of this
7 title or unlawful assembly, as provided in Section 1314 of this
8 title shall be deemed guilty of a misdemeanor, punishable by

9 imprisonment in the county jail for not more than one (1) year or,
10 ~~and upon conviction shall be punished by fine not exceeding One~~

11 ~~Hundred Dollars (\$100.00), and shall be liable for all damages to~~
12 ~~person or property by reason of the same~~ Five Hundred Dollars

13 (\$500.00), or by such fine and imprisonment and by at least forty
14 (40) hours of community service work to be determined by the court.

15 In addition to any sentence imposed for a violation of this section,
16 the court shall include an order of restitution for any property
17 damage or loss incurred as a result of the offense.

18 SECTION 11. AMENDATORY 21 O.S. 2011, Section 1760, is
19 amended to read as follows:

20 Section 1760. A. Every person who maliciously injures, defaces
21 or destroys any real or personal property not his or her own, in
22 cases other than such as are specified in Section 1761 et seq. of
23 this title, is guilty of:

1 1. A misdemeanor, if the damage, defacement or destruction
2 causes a loss which has an aggregate value of less than One Thousand
3 Dollars (\$1,000.00) punishable by imprisonment in the county jail
4 not exceeding one (1) year or by a fine of not less than Five
5 Hundred Dollars (\$500.00), or by such fine and imprisonment and by
6 at least forty (40) hours of community service work to be determined
7 by the court;

8 2. A felony, if the damage, defacement or destruction causes a
9 loss which has an aggregate value of One Thousand Dollars
10 (\$1,000.00) or more, punishable by imprisonment in the custody of
11 the Department of Corrections of not less than three (3) years or by
12 a fine of not less than One Thousand Dollars (\$1,000.00), or by such
13 fine and imprisonment; or

14 3. A felony, if the defendant has two or more prior convictions
15 for an offense under this section, notwithstanding the value of loss
16 caused by the damage, defacement or destruction, punishable by
17 imprisonment in the custody of the Department of Corrections of not
18 less than seven (7) years or by a fine of not less than Two Thousand
19 Dollars (\$2,000.00).

20 B. In addition to the punishment prescribed by law for
21 violations of subsection A of this section, the court shall include
22 an order of restitution for any property damage or loss incurred as
23 a result of the offense.

1 C. In addition to any other punishment prescribed by law for
2 violations of subsection A of this section, he or she is liable in
3 treble damages for the injury done, to be recovered in a civil
4 action by the owner of such property or public officer having charge
5 thereof.

6 SECTION 12. AMENDATORY 22 O.S. 2011, Section 1402, as
7 amended by Section 1, Chapter 234, O.S.L. 2013 (22 O.S. Supp. 2020,
8 Section 1402), is amended to read as follows:

9 Section 1402. As used in the Oklahoma Racketeer-Influenced and
10 Corrupt Organizations Act:

11 1. "Beneficial interest" includes:

12 a. the interest of a person as a beneficiary pursuant to
13 a trust, in which the trustee holds legal title to
14 personal or real property, or

15 b. the interest of a person as a beneficiary pursuant to
16 any other arrangement under which any other person
17 holds legal title to personal or real property for the
18 benefit of such person.

19 The term beneficial interest does not include the interest of a
20 stockholder in a corporation or the interest of a partner in either
21 a general or limited partnership;

22 2. "Enterprise" includes any individual, sole proprietorship,
23 partnership, corporation, trust, governmental entity, or other legal
24 entity, or any union, association, unincorporated association or

1 group of persons, associated in fact although not a legal entity,
2 involved in any lawful or unlawful project or undertaking or any
3 foreign organization that the United States Secretary of State has
4 designated a foreign terrorist organization pursuant to Title 8
5 U.S.C.A., Section 1189;

6 3. "Innocent party" includes bona fide purchasers and victims;

7 4. "Lien notice" means the notice pursuant to the provisions of
8 Section 1412 of this title;

9 5. "Pattern of racketeering activity" means two or more
10 occasions of conduct:

11 a. that include each of the following:

12 (1) constitute racketeering activity,

13 (2) are related to the affairs of the enterprise,

14 (3) are not isolated, and

15 (4) are not so closely related to each other and
16 connected in point of time and place that they
17 constitute a single event, and

18 b. where each of the following is present:

19 (1) at least one of the occasions of conduct occurred
20 after November 1, 1988,

21 (2) the last of the occasions of conduct occurred
22 within three (3) years, excluding any period of
23 imprisonment served by any person engaging in the
24 conduct, of a prior occasion of conduct, and
25

1 (3) for the purposes of Section 1403 of this title
2 each of the occasions of conduct constituted a
3 felony pursuant to the laws of this state;

4 6. "Pecuniary value" means:

5 a. anything of value in the form of money, a negotiable
6 instrument, or a commercial interest, or anything
7 else, the primary significance of which is economic
8 advantage, or

9 b. any other property or service that has a value in
10 excess of One Hundred Dollars (\$100.00);

11 7. "Person" means any individual or entity holding or capable
12 of holding a legal or beneficial interest in property;

13 8. "Personal property" includes any personal property, or any
14 interest in such personal property, or any right, including bank
15 accounts, debts, corporate stocks, patents or copyrights. Personal
16 property and beneficial interest in personal property shall be
17 deemed to be located where the trustee, the personal property, or
18 the instrument evidencing the right is located;

19 9. "Principal" means a person who engages in conduct
20 constituting a violation of the Oklahoma Racketeer-Influenced and
21 Corrupt Organizations Act or who is legally accountable for the
22 conduct of another who engages in a violation of the Oklahoma
23 Racketeer-Influenced and Corrupt Organizations Act;

1 10. "Racketeering activity" means engaging in, attempting to
2 engage in, conspiring to engage in, or soliciting, coercing, or
3 intimidating another person to engage in any conduct which is
4 chargeable or indictable as constituting a felony violation of one
5 or more of the following provisions of the Oklahoma Statutes,
6 regardless of whether such act is in fact charged or indicted:

7 a. relating to homicide pursuant to the provisions of
8 Section 651, 652, 653, 701.7, 701.8, 701.16, 711 or
9 716 of Title 21 of the Oklahoma Statutes or relating
10 to concealment of homicidal death pursuant to the
11 provisions of Section 543 of Title 21 of the Oklahoma
12 Statutes,

13 b. relating to kidnapping pursuant to the provisions of
14 Section 741, 745, 891 or 1119 of Title 21 of the
15 Oklahoma Statutes,

16 c. relating to sex offenses pursuant to the provisions of
17 Section 886, 888, 1021, 1021.2, 1021.4, 1024.2, 1111,
18 1111.1, 1114 or 1123 of Title 21 of the Oklahoma
19 Statutes,

20 d. relating to bodily harm pursuant to the provisions of
21 Section 645, 650, 650.2, 1289.16, 1302, 1303 or 1767.1
22 of Title 21 of the Oklahoma Statutes,

23 e. relating to theft, where the offense constitutes a
24 felony, pursuant to the provisions of Section 1704,

1 1707, 1708, 1709, 1710, 1711, 1713, 1716, 1719, 1720,
2 1721, 1722, 1723 or 1731 of Title 21 of the Oklahoma
3 Statutes,

4 f. relating to forgery pursuant to the provisions of
5 Section 1561, 1562, 1571, 1572, 1574, 1575, 1577,
6 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586,
7 1587, 1588, 1589, 1590, 1591 or 1593 of Title 21 of
8 the Oklahoma Statutes,

9 g. relating to robbery pursuant to the provisions of
10 Section 797, 800 or 801 of Title 21 of the Oklahoma
11 Statutes,

12 h. relating to burglary pursuant to the provisions of
13 Section 1431, 1435 or 1437 of Title 21 of the Oklahoma
14 Statutes,

15 i. relating to arson pursuant to the provisions of
16 Section 1368, 1401, 1402, 1403 or 1404 of Title 21 of
17 the Oklahoma Statutes,

18 j. relating to use or possession of a firearm or other
19 offensive weapon while committing or attempting to
20 commit a felony pursuant to the provisions of Section
21 1287, 1289.20 or 1289.21 of Title 21 of the Oklahoma
22 Statutes,

23 k. relating to gambling pursuant to the provisions of
24 Section 941, 942, 944, 945, 946, 948, 954, 956, 957,
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1 969, 970, 971, 981, 982, 983, 984, 985, 986, 987, 991
2 or 992 of Title 21 of the Oklahoma Statutes,

3 l. relating to bribery in contests pursuant to the
4 provisions of Section 399 or 400 of Title 21 of the
5 Oklahoma Statutes,

6 m. relating to interference with public officers pursuant
7 to the provisions of Section 434, 436, 437, 438, 439,
8 440, 441, 443, 444, 521, 522, 532, 540, 543, 545 or
9 546 of Title 21 of the Oklahoma Statutes,

10 n. relating to interference with judicial procedure
11 pursuant to the provisions of Section 388, 453, 455,
12 456, 491, 496 or 504 of Title 21 of the Oklahoma
13 Statutes,

14 o. relating to official misconduct pursuant to the
15 provisions of Section 380, 381, 382, 383, 384, 385,
16 386, 389, 390, 950 or 976 of Title 21 of the Oklahoma
17 Statutes, or Section 3404 of Title 74 of the Oklahoma
18 Statutes,

19 p. relating to the Uniform Controlled Dangerous
20 Substances Act, where the offense constitutes a
21 felony, pursuant to the provisions of Section 2-101 et
22 seq. of Title 63 of the Oklahoma Statutes,
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- 1 q. relating to automobile theft pursuant to the
2 provisions of Section 4-102, 4-103, 4-107, 4-108, 4-
3 109 or 4-110 of Title 47 of the Oklahoma Statutes,
4 r. relating to embezzlement pursuant to the provisions of
5 Section 1412 of Title 6 of the Oklahoma Statutes,
6 Section 641 of Title 19 of the Oklahoma Statutes,
7 Section 341, 531 or 1451 of Title 21 of the Oklahoma
8 Statutes, Section 163.4 of Title 37 of the Oklahoma
9 Statutes, Section 1025 of Title 64 of the Oklahoma
10 Statutes or Section 1361 of Title 68 of the Oklahoma
11 Statutes,
12 s. relating to extortion, where the offense constitutes a
13 felony, pursuant to the provisions of Section 1304,
14 1481, 1482, 1485, 1486 or 1488 of Title 21 of the
15 Oklahoma Statutes,
16 t. relating to fraud, where the offense constitutes a
17 felony, pursuant to the provisions of Section 208.6,
18 208.7 or 208.8 of Title 3A of the Oklahoma Statutes,
19 Section 753 of Title 15 of the Oklahoma Statutes,
20 Section 552.14a of Title 18 of the Oklahoma Statutes,
21 Section 358, 1411, 1412, 1413, 1414, 1415, 1416, 1503,
22 1521, 1541.1, 1541.2, 1541.3, 1542, 1543, 1544,
23 1550.2, 1550.22, 1550.23, 1550.24, 1550.25, 1550.26,
24 1550.27, 1550.28, 1550.29, 1550.30, 1550.31, 1550.32,

1 1632, 1635 or 1662 of Title 21 of the Oklahoma
2 Statutes, Section 243 of Title 56 of the Oklahoma
3 Statutes, or Section 604 of Title 62 of the Oklahoma
4 Statutes,

5 u. relating to conspiracy, where the offense constitutes
6 a felony, pursuant to the provisions of Section 421,
7 422 or 424 of Title 21 of the Oklahoma Statutes,

8 v. relating to prostitution, pornography or obscenity
9 pursuant to the provisions of Section 1021, 1040.52,
10 1081, 1085, 1086, 1087 or 1088 of Title 21 of the
11 Oklahoma Statutes,

12 w. relating to the Oklahoma Alcoholic Beverage Control
13 Act, where the offense constitutes a felony, pursuant
14 to the provisions of Section 506.1 et seq. of Title 37
15 of the Oklahoma Statutes,

16 x. relating to the Oklahoma Uniform Securities Act of
17 2004, where the offense constitutes a felony, pursuant
18 to the provisions of Sections 1-101 through 1-701 of
19 Title 71 of the Oklahoma Statutes,

20 y. relating to human trafficking or trafficking in
21 children pursuant to the provisions of Section 748,
22 866 or 867 of Title 21 of the Oklahoma Statutes,

23 z. relating to illegal aliens pursuant to the provisions
24 of Section 446 of Title 21 of the Oklahoma Statutes,

- 1 aa. relating to organized voter fraud pursuant to the
2 provisions of Section 16-102, 16-102.1, 16-102.2, 16-
3 103, 16-103.1, 16-104, 16-105, 16-106, 16-113, 16-120
4 or 16-123.1 of Title 26 of the Oklahoma Statutes,
5 bb. relating to terrorism and terrorist activities
6 pursuant to the provisions of the Sabotage Prevention
7 Act or the Oklahoma Antiterrorism Act,
8 cc. relating to exploitation of elderly persons or
9 disabled adults pursuant to the provisions of Section
10 843.4 of Title 21 of the Oklahoma Statutes,
11 dd. relating to computer crimes pursuant to the provisions
12 of Sections 1953 and 1958 of Title 21 of the Oklahoma
13 Statutes,
14 ee. relating to unlawful proceeds pursuant to the
15 provisions of Section 2001 of Title 21 of the Oklahoma
16 Statutes,
17 ff. relating to insurance fraud pursuant to the provisions
18 of Section 311.1 of Title 36 of the Oklahoma Statutes,
19 or
20 gg. relating to workers' compensation fraud pursuant to
21 the provisions of Section 1663 of Title 21 of the
22 Oklahoma Statutes.

23 In addition, "racketeering activity" may be proven by proof of
24 engaging in, attempting to engage in, conspiring to engage in, or
25

1 soliciting, coercing, or intimidating another person to engage in
2 any of the above described conduct within another state, regardless
3 of whether said conduct is chargeable or indictable in that state;

4 11. "Racketeering activity" means engaging in, attempting to
5 engage in, conspiring to engage in, or soliciting, coercing, or
6 intimidating another person to engage in any conduct which is
7 chargeable or indictable as constituting a misdemeanor violation of
8 one or more of the following provisions of the Oklahoma Statutes,
9 regardless of whether such act is in fact charged or indicted:

10 a. relating to rioting pursuant to the provisions of
11 Section 1311 of Title 21 of the Oklahoma Statutes, or

12 b. relating to unlawful assembly pursuant to the
13 provisions of Section 1314 of Title 21 of the Oklahoma
14 Statutes;

15 12. "Real property" means any real property or any interest in
16 real property, including any lease of, or mortgage upon real
17 property. Real property and beneficial interest in real property
18 shall be deemed to be located where the real property is located;

19 ~~12.~~ 13. "Trustee" includes trustees, a corporate as well as a
20 natural person and a successor or substitute trustee in accordance
21 with the Oklahoma Trust Act; and

22 ~~13.~~ 14. "Unlawful debt" means any money or other thing of value
23 constituting principal or interest of a debt that is unenforceable
24 in the courts of Oklahoma, because the debt was incurred or

1 contracted in violation of a law relating to the business of
2 gambling activity or in violation of federal or state law but does
3 not include any debt owed to a bank, savings and loan association,
4 credit union or supervised lender licensed by the Oklahoma
5 Administrator of Consumer Credit or to any debt referred or assigned
6 to a debt collection agency, which referral or assignment is
7 accepted in good faith by the debt collection agency as a debt
8 collectible under the Uniform Commercial Code or other laws of this
9 state and enforceable in the courts of this state.

10 SECTION 13. This act shall become effective November 1, 2021.

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12 58-1-199 BG 1/21/2021 2:49:21 PM
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