

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2343 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Mauree Turner _____

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2343

By: Turner

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to crimes and punishments; amending
9 21 O.S. 2021, Section 1031, which relates to criminal
10 offenses; modifying provisions related to criminal
11 offenses based upon certain conduct; repealing 21
12 O.S. 2021, Sections 1192, 1192.1, and 1199, which
13 relate to the decriminalization of HIV, AIDS, and
14 other infectious diseases; and providing an effective
15 date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1031, is
18 amended to read as follows:

19 Section 1031. ~~A. Except as provided in subsection B or C of~~
20 ~~this section, any person violating any of the provisions of Section~~
21 ~~1028, 1029 or 1030 of this title shall be guilty of a misdemeanor~~
22 ~~and, upon conviction, shall be punished by imprisonment in the~~
23 ~~county jail for not less than thirty (30) days nor more than one (1)~~
24 ~~year or by fines as follows: a fine of not more than Two Thousand~~
~~Five Hundred Dollars (\$2,500.00) upon the first conviction for~~
~~violation of any of such provisions, a fine of not more than Five~~

1 ~~Thousand Dollars (\$5,000.00) upon the second conviction for~~
2 ~~violation of any of such provisions, and a fine of not more than~~
3 ~~Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or~~
4 ~~subsequent convictions for violation of any of such provisions, or~~
5 ~~by both such imprisonment and fine. In addition, the court may~~
6 ~~require a term of community service of not less than forty (40) nor~~
7 ~~more than eighty (80) hours. The court in which any such conviction~~
8 ~~is had shall notify the county superintendent of public health of~~
9 ~~such conviction.~~

10 ~~B. Any person who engages in an act of prostitution with~~
11 ~~knowledge that they are infected with the human immunodeficiency~~
12 ~~virus shall be guilty of a felony punishable by imprisonment in the~~
13 ~~custody of the Department of Corrections for not more than five (5)~~
14 ~~years.~~

15 ~~C. Any person who engages in an act of child prostitution, as~~
16 ~~defined in Section 1030 of this title, shall, upon conviction, be~~
17 ~~guilty of a felony punishable by imprisonment in the custody of the~~
18 ~~Department of Corrections for not more than ten (10) years and by~~
19 ~~finest as follows: a fine of not more than Five Thousand Dollars~~
20 ~~(\$5,000.00) upon the first conviction, a fine of not more than Ten~~
21 ~~Thousand Dollars (\$10,000.00) upon the second conviction, and a fine~~
22 ~~of not more than Fifteen Thousand Dollars (\$15,000.00) upon the~~
23 ~~third or subsequent convictions.~~

24

1 ~~D. Any person violating any of the provisions of Section 1028,~~
2 ~~1029 or 1030 of this title within one thousand (1,000) feet of a~~
3 ~~school or church shall be guilty of a felony and, upon conviction,~~
4 ~~shall be punished by imprisonment in the custody of the Department~~
5 ~~of Corrections for not more than five (5) years or by fines as~~
6 ~~follows: a fine of not more than Two Thousand Five Hundred Dollars~~
7 ~~(\$2,500.00) upon the first conviction for violation of any of such~~
8 ~~provisions, a fine of not more than Five Thousand Dollars~~
9 ~~(\$5,000.00) upon the second conviction for violation of any of such~~
10 ~~provisions, and a fine of not more than Seven Thousand Five Hundred~~
11 ~~Dollars (\$7,500.00) upon the third or subsequent convictions for~~
12 ~~violation of any of such provisions, or by both such imprisonment~~
13 ~~and fine. In addition, the court may require a term of community~~
14 ~~service of not less than forty (40) nor more than eighty (80) hours.~~
15 ~~The court in which any such conviction is had shall notify the~~
16 ~~county superintendent of public health of such conviction.~~

17 SECTION 2. REPEALER 21 O.S. 2021, Sections 1192, 1192.1,
18 and 1199 are hereby repealed.

19 SECTION 3. This act shall become effective November 1, 2023.

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21 59-1-7655 MAH 02/21/23

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