

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

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 2343

By: Turner

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; amending 21 O.S. 2021, Section 1031, which relates to criminal offenses; modifying penalty provisions related to human immunodeficiency virus; amending 21 O.S. 2021, Section 1199, which relates to contagious diseases; modifying reference; repealing 21 O.S. 2021, Sections 1192 and 1192.1, which relate to the decriminalization of HIV, AIDS, and other infectious diseases; and providing an effective date.

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

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

Section 1031. A. Except as provided in subsection B or C of this section, any person violating any of the provisions of Section 1028, 1029 or 1030 of this title shall be guilty of a misdemeanor and, upon conviction, shall be punished by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) 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

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

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

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

1 ~~D.~~ C. Any person violating any of the provisions of Section
2 1028, 1029 or 1030 of this title within one thousand (1,000) feet of
3 a 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. AMENDATORY 21 O.S. 2021, Section 1199, is
18 amended to read as follows:

19 Section 1199. Every person who willfully exposes ~~himself~~
20 oneself or another person, being affected with any contagious
21 disease in any public place or thoroughfare, except in ~~his~~ their
22 necessary removal in a manner not dangerous to the public health, is
23 guilty of a misdemeanor.

24

1 SECTION 3. REPEALER 21 O.S. 2021, Sections 1192 and
2 1192.1 are hereby repealed.

3 SECTION 4. This act shall become effective November 1, 2023.
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