

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3992 \_\_\_\_\_  
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**

Adopted: \_\_\_\_\_

Amendment submitted by: Scott Fetgatter

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 FLOOR SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 3992

6 By: Fetgatter of the House

7 and

8 Gollihare of the Senate

9 FLOOR SUBSTITUTE

10 An Act relating to sex crimes; creating Knights Law;  
11 requiring persons convicted of certain crimes to  
12 serve one hundred percent of sentence; prohibiting  
13 inmates from receiving earned credits; amending 21  
14 O.S. 2021, Section 13.1, which relates to required  
15 minimum sentences; removing crimes from list of  
16 offenses; amending 21 O.S. 2021, Section 748, as  
17 amended by Section 1, Chapter 20, O.S.L. 2022 (21  
18 O.S. Supp. 2023, Section 748), which relates to the  
19 crime of human trafficking; modifying and adding  
20 penalties; amending 21 O.S. 2021, Section 843.5,  
21 which relates to the crime of child abuse; modifying  
22 penalties for certain offenses; amending 21 O.S.  
23 2021, Sections 1021.2, 1021.3, 1024.2, 1031 and  
24 1040.12a, which relate to the Oklahoma Law on  
Obscenity and Child Pornography; modifying penalties  
for certain offenses; amending 21 O.S. 2021, Section  
1115, which relates to penalties for first degree  
rape; modifying penalty; amending 22 O.S. 2021,  
Section 1101, as amended by Section 1, Chapter 117,  
O.S.L. 2022 (22 O.S. Supp. 2023, Section 1101), which  
relates to persons authorized to take bail; creating  
rebuttable presumption for persons arrested for  
certain sex crimes; amending 57 O.S. 2021, Section  
138, which relates to credits for good conduct;  
prohibiting persons convicted of certain sex crimes  
from receiving earned credits; providing for  
noncodification; providing for codification; and  
providing an effective date.

1  
2 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

3 SECTION 1. NEW LAW A new section of law not to be  
4 codified in the Oklahoma Statutes reads as follows:

5 Sections 1 through 14 of this act shall be known and may be  
6 cited as "Knights Law".

7 SECTION 2. NEW LAW A new section of law to be codified  
8 in the Oklahoma Statutes as Section 13.2 of Title 21, unless there  
9 is created a duplication in numbering, reads as follows:

10 Persons convicted of:

11 1. Rape in the first degree as provided for in Section 1111,  
12 1114, or 1115 of Title 21 of the Oklahoma Statutes;

13 2. Child sexual abuse as provided for in subsection E or F of  
14 Section 843.5 of Title 21 of the Oklahoma Statutes;

15 3. Lewd or indecent proposals or acts to a child as provided  
16 for in subsection A of Section 1123 of Title 21 of the Oklahoma  
17 Statutes;

18 4. Child pornography or aggravated child pornography as  
19 provided for in Section 1021.2, 1021.3, 1024.1, 1024.2, or 1040.12a  
20 of Title 21 of the Oklahoma Statutes;

21 5. Child prostitution as provided for in Section 1031 of Title  
22 21 of the Oklahoma Statutes; or

23 6. Human trafficking of a minor for commercial sex as provided  
24 for in Section 748 of Title 21 of the Oklahoma Statutes,

1 shall be required to serve not less than one hundred percent (100%)  
2 of any sentence of imprisonment imposed by the judicial system.  
3 Persons convicted of these offenses shall not be eligible for earned  
4 credits or any other type of credits which have the effect of  
5 reducing the length of the sentence to less than one hundred percent  
6 (100%) of the sentence imposed.

7 SECTION 3. AMENDATORY 21 O.S. 2021, Section 13.1, is  
8 amended to read as follows:

9 Section 13.1 Persons convicted of:

- 10 1. First degree murder as defined in Section 701.7 of this  
11 title;
- 12 2. Second degree murder as defined by Section 701.8 of this  
13 title;
- 14 3. Manslaughter in the first degree as defined by Section 711  
15 of this title;
- 16 4. Poisoning with intent to kill as defined by Section 651 of  
17 this title;
- 18 5. Shooting with intent to kill, use of a vehicle to facilitate  
19 use of a firearm, crossbow or other weapon, assault, battery, or  
20 assault and battery with a deadly weapon or by other means likely to  
21 produce death or great bodily harm, as provided for in Section 652  
22 of this title;
- 23 6. Assault with intent to kill as provided for in Section 653  
24 of this title;

- 1       7. Conjoint robbery as defined by Section 800 of this title;
- 2       8. Robbery with a dangerous weapon as defined in Section 801 of  
3 this title;
- 4       9. First degree robbery as defined in Section 797 of this  
5 title;
- 6       10. ~~First degree rape as provided for in Section 1111, 1114 or  
7 1115 of this title;~~
- 8       11. First degree arson as defined in Section 1401 of this  
9 title;
- 10       ~~12.~~ 11. First degree burglary as provided for in Section 1436  
11 of this title;
- 12       ~~13.~~ 12. Bombing as defined in Section 1767.1 of this title;
- 13       ~~14. Any~~ 13. Except for the crime of child sexual abuse, any  
14 crime against a child provided for in Section 843.5 of this title;
- 15       ~~15.~~ 14. Forcible sodomy as defined in Section 888 of this  
16 title;
- 17       ~~16. Child pornography or aggravated child pornography as  
18 defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of  
19 this title;~~
- 20       ~~17. Child prostitution as defined in Section 1030 of this  
21 title;~~
- 22       ~~18. Lewd molestation of a child as defined in Section 1123 of  
23 this title;~~
- 24

1       ~~19.~~ 15. Abuse of a vulnerable adult as defined in Section 10-  
2 103 of Title 43A of the Oklahoma Statutes;

3       ~~20.~~ 16. Aggravated trafficking as provided for in subsection C  
4 of Section 2-415 of Title 63 of the Oklahoma Statutes;

5       ~~21.~~ 17. Aggravated assault and battery upon any person  
6 defending another person from assault and battery; or

7       ~~22.—Human~~ 18. Except for the crime of human trafficking of a  
8 minor for commercial sex, human trafficking as provided for in  
9 Section 748 of this title,

10 shall be required to serve not less than eighty-five percent (85%)  
11 of any sentence of imprisonment imposed by the judicial system prior  
12 to becoming eligible for consideration for parole. Persons  
13 convicted of these offenses shall not be eligible for earned credits  
14 or any other type of credits which have the effect of reducing the  
15 length of the sentence to less than eighty-five percent (85%) of the  
16 sentence imposed.

17       SECTION 4.       AMENDATORY       21 O.S. 2021, Section 748, as  
18 amended by Section 1, Chapter 20, O.S.L. 2022 (21 O.S. Supp. 2023,  
19 Section 748), is amended to read as follows:

20       Section 748. A. As used in Sections 748 and 748.2 of this  
21 title:

22       1. "Coercion" means compelling, forcing or intimidating a  
23 person to act by:

24

- 1 a. threats of harm or physical restraint against any  
2 person,
- 3 b. any act, scheme, plan, or pattern intended to cause a  
4 person to believe that performing, or failing to  
5 perform, an act would result in serious physical,  
6 financial, or emotional harm or distress to or  
7 physical restraint against any person,
- 8 c. the abuse or threatened abuse of the law or legal  
9 process,
- 10 d. knowingly destroying, concealing, removing,  
11 confiscating or possessing any actual or purported  
12 passport, labor or immigration document, or other  
13 government identification document, including but not  
14 limited to a driver license or birth certificate, of  
15 another person,
- 16 e. facilitating or controlling a person's access to any  
17 addictive or controlled substance other than for legal  
18 medical purposes,
- 19 f. blackmail,
- 20 g. demanding or claiming money, goods, or any other thing  
21 of value from or on behalf of a prostituted person  
22 where such demand or claim arises from or is directly  
23 related to the act of prostitution,
- 24

1 h. determining, dictating or setting the times at which  
2 another person will be available to engage in an act  
3 of prostitution with a third party,

4 i. determining, dictating or setting the places at which  
5 another person will be available for solicitation of,  
6 or to engage in, an act of prostitution with a third  
7 party, or

8 j. determining, dictating or setting the places at which  
9 another person will reside for purposes of making such  
10 person available to engage in an act of prostitution  
11 with a third party;

12 2. "Commercial sex" means any form of commercial sexual  
13 activity such as sexually explicit performances, prostitution,  
14 participation in the production of pornography, performance in a  
15 strip club, or exotic dancing or display;

16 3. "Debt bondage" means the status or condition of a debtor  
17 arising from a pledge by the debtor of his or her personal services  
18 or of those of a person under his or her control as a security for  
19 debt if the value of those services as reasonably assessed is not  
20 applied toward the liquidation of the debt or the length and nature  
21 of those services are not respectively limited and defined;

22 4. "Human trafficking" means modern-day slavery that includes,  
23 but is not limited to, extreme exploitation and the denial of  
24



1 freedom or liberty of an individual for purposes of deriving benefit  
2 from that individual's commercial sex act or labor;

3 5. "Human trafficking for labor" means:

4 a. recruiting, enticing, harboring, maintaining,  
5 transporting, providing or obtaining, by any means,  
6 another person through deception, force, fraud, threat  
7 or coercion or for purposes of engaging the person in  
8 labor, or

9 b. benefiting, financially or by receiving anything of  
10 value, from participation in a venture that has  
11 engaged in an act of trafficking for labor;

12 6. "Human trafficking for commercial sex" means:

13 a. recruiting, enticing, harboring, maintaining,  
14 transporting, providing or obtaining, by any means,  
15 another person through deception, force, fraud, threat  
16 or coercion for purposes of engaging the person in a  
17 commercial sex act,

18 b. recruiting, enticing, harboring, maintaining,  
19 transporting, providing, purchasing or obtaining, by  
20 any means, a minor for purposes of engaging the minor  
21 in a commercial sex act, or

22 c. benefiting, financially or by receiving anything of  
23 value, from participating in a venture that has  
24 engaged in an act of trafficking for commercial sex;

1 7. "Legal process" means the criminal law, the civil law, or  
2 the regulatory system of the federal government, any state,  
3 territory, district, commonwealth, or trust territory therein, and  
4 any foreign government or subdivision thereof and includes legal  
5 civil actions, criminal actions, and regulatory petitions or  
6 applications;

7 8. "Minor" means an individual under eighteen (18) years of  
8 age; and

9 9. "Victim" means a person against whom a violation of any  
10 provision of this section has been committed.

11 B. It shall be unlawful to knowingly engage in human  
12 trafficking.

13 C. 1. Any person violating the provisions of this section  
14 shall, upon conviction, be guilty of a felony punishable by  
15 imprisonment in the custody of the Department of Corrections for a  
16 term of not less than five (5) years or for life, or by a fine of  
17 not more than One Hundred Thousand Dollars (\$100,000.00), or by both  
18 such fine and imprisonment.

19 2. Any person violating the provisions of this section where  
20 the victim of the offense of human trafficking for labor is under  
21 eighteen (18) years of age at the time of the offense shall, upon  
22 conviction, be guilty of a felony punishable by imprisonment in the  
23 custody of the Department of Corrections for a term of not less than  
24 fifteen (15) years or for life, or by a fine of not more than Two

1 Hundred Fifty Thousand Dollars (\$250,000.00), or by both such fine  
2 and imprisonment.

3 3. Any person violating the provisions of this section where  
4 the victim of the offense of human trafficking for commercial sex is  
5 under eighteen (18) years of age at the time of the offense shall,  
6 upon conviction, be guilty of a felony punishable by imprisonment in  
7 the custody of the Department of Corrections for a term of not less  
8 than twenty (20) years up to a term of life without parole.

9 4. The court shall also order the defendant to pay restitution  
10 to the victim as provided in Section 991f of Title 22 of the  
11 Oklahoma Statutes.

12 5. If the person is convicted of human trafficking, the person  
13 shall serve eighty-five percent (85%) of the sentence before being  
14 eligible for parole consideration or any earned credits. If the  
15 person is convicted of human trafficking of a minor for commercial  
16 sex, the person shall serve not less than one hundred percent (100%)  
17 of the sentence imposed.

18 6. The terms of imprisonment specified in this subsection shall  
19 not be subject to statutory provisions for suspension, deferral or  
20 probation, or state correctional institution earned credits accruing  
21 from and after November 1, 1989, except for the achievement earned  
22 credits authorized by subsection H of Section 138 of Title 57 of the  
23 Oklahoma Statutes. To qualify for such achievement earned credits,  
24 such inmates must also be in compliance with the standards for Class

1 level 2 behavior, as defined in subsection D of Section 138 of Title  
2 57 of the Oklahoma Statutes.

3 D. It is an affirmative defense to prosecution for a criminal,  
4 youthful offender, or delinquent offense that, during the time of  
5 the alleged commission of the offense, the defendant or alleged  
6 youthful offender or delinquent was a victim of human trafficking.

7 E. The consent of a victim to the activity prohibited by this  
8 section shall not constitute a defense.

9 F. Lack of knowledge of the age of the victim shall not  
10 constitute a defense to the activity prohibited by this section with  
11 respect to human trafficking of a minor.

12 SECTION 5. AMENDATORY 21 O.S. 2021, Section 843.5, is  
13 amended to read as follows:

14 Section 843.5 A. Any person who shall willfully or maliciously  
15 engage in child abuse, as defined in this section, shall, upon  
16 conviction, be guilty of a felony punishable by imprisonment in the  
17 custody of the Department of Corrections not exceeding life  
18 imprisonment, or by imprisonment in a county jail not exceeding one  
19 (1) year, or by a fine of not less than Five Hundred Dollars  
20 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both  
21 such fine and imprisonment.

22 B. Any person responsible for the health, safety or welfare of  
23 a child who shall willfully or maliciously engage in enabling child  
24 abuse, as defined in this section, shall, upon conviction, be

1 punished by imprisonment in the custody of the Department of  
2 Corrections not exceeding life imprisonment, or by imprisonment in a  
3 county jail not exceeding one (1) year, or by a fine of not less  
4 than Five Hundred Dollars (\$500.00) nor more than Five Thousand  
5 Dollars (\$5,000.00), or both such fine and imprisonment.

6 C. Any person responsible for the health, safety or welfare of  
7 a child who shall willfully or maliciously engage in child neglect,  
8 as defined in this section, shall, upon conviction, be punished by  
9 imprisonment in the custody of the Department of Corrections not  
10 exceeding life imprisonment, or by imprisonment in a county jail not  
11 exceeding one (1) year, or by a fine of not less than Five Hundred  
12 Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00),  
13 or both such fine and imprisonment.

14 D. Any parent or other person who shall willfully or  
15 maliciously engage in enabling child neglect shall, upon conviction,  
16 be punished by imprisonment in the custody of the Department of  
17 Corrections not exceeding life imprisonment, or by imprisonment in a  
18 county jail not exceeding one (1) year, or by a fine of not less  
19 than Five Hundred Dollars (\$500.00) nor more than Five Thousand  
20 Dollars (\$5,000.00), or both such fine and imprisonment.

21 E. 1. Any person responsible for the health, safety or welfare  
22 of a child who shall willfully or maliciously engage in child sexual  
23 abuse, as defined in subparagraphs a through d of paragraph 3 of  
24 subsection N of this section, shall, upon conviction, be punished by

1 imprisonment in the custody of the Department of Corrections ~~not~~  
2 ~~exceeding~~ for a term of not less than fifteen (15) years up to a  
3 term of life imprisonment, ~~or by imprisonment in a county jail not~~  
4 ~~exceeding one (1) year, or by a fine of not less than Five Hundred~~  
5 ~~Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00),~~  
6 ~~or both such fine and imprisonment, except as provided in Section~~  
7 ~~51.1a of this title or as otherwise provided in subsection F of this~~  
8 ~~section for a child victim under twelve (12) years of age. Except~~  
9 ~~for persons sentenced to life or life without parole, any person~~  
10 ~~sentenced to imprisonment for two (2) years or more for a violation~~  
11 ~~of this subsection shall be required to serve a term of post-~~  
12 ~~imprisonment supervision pursuant to subparagraph f of paragraph 1~~  
13 ~~of subsection A of Section 991a of Title 22 of the Oklahoma Statutes~~  
14 ~~under conditions determined by the Department of Corrections. The~~  
15 ~~jury shall be advised that the mandatory post-imprisonment~~  
16 ~~supervision shall be in addition to the actual imprisonment.~~

17 ~~F.~~ 2. Any person responsible for the health, safety or welfare  
18 of a child who shall willfully or maliciously engage in child sexual  
19 abuse, as defined in subparagraph e of paragraph 3 of subsection N  
20 of this section, ~~to a child under twelve (12) years of age shall,~~  
21 upon conviction, be punished by imprisonment in the custody of the  
22 Department of Corrections for a term of not less than ~~twenty-five~~  
23 ~~(25)~~ ten (10) years ~~nor more than~~ up to a term of life imprisonment,  
24

1 ~~and by a fine of not less than Five Hundred Dollars (\$500.00) nor~~  
2 ~~more than Five Thousand Dollars (\$5,000.00).~~

3 ~~G.~~ F. Any parent or other person who shall willfully or  
4 maliciously engage in enabling child sexual abuse shall, upon  
5 conviction, be punished by imprisonment in the custody of the  
6 Department of Corrections not exceeding life imprisonment, or by  
7 imprisonment in a county jail not exceeding one (1) year, or by a  
8 fine of not less than Five Hundred Dollars (\$500.00) nor more than  
9 Five Thousand Dollars (\$5,000.00), or both such fine and  
10 imprisonment.

11 ~~H.~~ G. Any person who shall willfully or maliciously engage in  
12 child sexual exploitation, as defined in this section, shall, upon  
13 conviction, be punished by imprisonment in the custody of the  
14 Department of Corrections not exceeding life imprisonment, or by  
15 imprisonment in a county jail not exceeding one (1) year, or by a  
16 fine of not less than Five Hundred Dollars (\$500.00) nor more than  
17 Five Thousand Dollars (\$5,000.00), or both such fine and  
18 imprisonment except as provided in subsection I of this section for  
19 a child victim under twelve (12) years of age. Except for persons  
20 sentenced to life or life without parole, any person sentenced to  
21 imprisonment for two (2) years or more for a violation of this  
22 subsection shall be required to serve a term of post-imprisonment  
23 supervision pursuant to subparagraph f of paragraph 1 of subsection  
24 A of Section 991a of Title 22 of the Oklahoma Statutes under

1 conditions determined by the Department of Corrections. The jury  
2 shall be advised that the mandatory post-imprisonment supervision  
3 shall be in addition to the actual imprisonment.

4 ~~F.~~ H. Any person who shall willfully or maliciously engage in  
5 child sexual exploitation, as defined in this section, of a child  
6 under twelve (12) years of age shall, upon conviction, be punished  
7 by imprisonment in the custody of the Department of Corrections for  
8 not less than twenty-five (25) years nor more than life  
9 imprisonment, and by a fine of not less than Five Hundred Dollars  
10 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00).

11 ~~J.~~ I. Any person responsible for the health, safety or welfare  
12 of a child who shall willfully or maliciously engage in enabling  
13 child sexual exploitation, as defined in this section, shall, upon  
14 conviction, be punished by imprisonment in the custody of the  
15 Department of Corrections not exceeding life imprisonment, or by  
16 imprisonment in a county jail not exceeding one (1) year, or by a  
17 fine of not less than Five Hundred Dollars (\$500.00) nor more than  
18 Five Thousand Dollars (\$5,000.00), or both such fine and  
19 imprisonment.

20 ~~K.~~ J. Notwithstanding any other provision of law, any person  
21 convicted of forcible anal or oral sodomy, rape, rape by  
22 instrumentation, or lewd molestation of a child under fourteen (14)  
23 years of age subsequent to a previous conviction for any offense of  
24 forcible anal or oral sodomy, rape, rape by instrumentation, or lewd



1 molestation of a child under fourteen (14) years of age shall be  
2 punished by death or by imprisonment for life without parole.

3 ~~H.~~ K. Provided, however, that nothing contained in this section  
4 shall prohibit any parent or guardian from using reasonable and  
5 ordinary force pursuant to Section 844 of this title.

6 ~~M.~~ L. Consent shall not be a defense for any violation provided  
7 for in this section.

8 ~~N.~~ M. Notwithstanding the age requirements of other statutes  
9 referenced within this section, this section shall apply to any  
10 child under eighteen (18) years of age.

11 ~~O.~~ N. As used in this section:

12 1. "Child abuse" means:

13 a. the willful or malicious harm or threatened harm or  
14 failure to protect from harm or threatened harm to the  
15 health, safety or welfare of a child under eighteen  
16 (18) years of age by a person responsible for a  
17 child's health, safety or welfare, or

18 b. the act of willfully or maliciously injuring,  
19 torturing or maiming a child under eighteen (18) years  
20 of age by any person;

21 2. "Child neglect" means the willful or malicious neglect, as  
22 defined by Section 1-1-105 of Title 10A of the Oklahoma Statutes, of  
23 a child under eighteen (18) years of age by a person responsible for  
24 a child's health, safety or welfare;

1           3. "Child sexual abuse" means the willful or malicious sexual  
2 abuse of a child under eighteen (18) years of age by a person  
3 responsible for a child's health, safety or welfare and includes,  
4 but is not limited to:

- 5           a. sexual intercourse,
- 6           b. penetration of the vagina or anus, however slight, by  
7           an inanimate object or any part of the human body not  
8           amounting to sexual intercourse,
- 9           c. sodomy,
- 10          d. incest, or
- 11          e. a lewd act or proposal, as defined in this section;

12          4. "Child sexual exploitation" means the willful or malicious  
13 sexual exploitation of a child under eighteen (18) years of age by  
14 another and includes, but is not limited to:

- 15          a. human trafficking, as provided for in Section 748 of  
16          this title, if the offense involved child trafficking  
17          for commercial sex,
- 18          b. trafficking in children, as provided for in Section  
19          866 of this title, if the offense was committed for  
20          the sexual gratification of any person,
- 21          c. procuring or causing the participation of a minor in  
22          child pornography, as provided for in Section 1021.2  
23          of this title,

- 1 d. purchase, procurement or possession of child  
2 pornography, as provided for in Section 1024.2 of this  
3 title,  
4 e. engaging in or soliciting prostitution, as provided  
5 for in Section 1029 of this title, if the offense  
6 involved child prostitution,  
7 f. publication, distribution or participation in the  
8 preparation of obscene material, as provided for in  
9 Section 1040.8 of this title, if the offense involved  
10 child pornography,  
11 g. aggravated possession of child pornography, as  
12 provided for in Section 1040.12a of this title,  
13 h. sale or distribution of obscene material, as provided  
14 for in Section 1040.13 of this title,  
15 i. soliciting sexual conduct or communication with a  
16 minor by use of technology, as provided for in Section  
17 ~~1043.13a~~ 1040.13a of this title,  
18 j. offering or transporting a child for purposes of  
19 prostitution, as provided for in Section 1087 of this  
20 title, and  
21 k. child prostitution, as provided for in Section 1088 of  
22 this title;  
23  
24

1           5. "Enabling child abuse" means the causing, procuring or  
2 permitting of child abuse by a person responsible for a child's  
3 health, safety or welfare;

4           6. "Enabling child neglect" means the causing, procuring or  
5 permitting of child neglect by a person responsible for a child's  
6 health, safety or welfare;

7           7. "Enabling child sexual abuse" means the causing, procuring  
8 or permitting of child sexual abuse by a person responsible for a  
9 child's health, safety or welfare;

10          8. "Enabling child sexual exploitation" means the causing,  
11 procuring or permitting of child sexual exploitation by a person  
12 responsible for a child's health, safety or welfare;

13          9. "Incest" means marrying, committing adultery or fornicating  
14 with a child by a person responsible for the health, safety or  
15 welfare of a child;

16          10. "Lewd act or proposal" means:

17           a. making any oral, written or electronic or computer-  
18 generated lewd or indecent proposal to a child for the  
19 child to have unlawful sexual relations or sexual  
20 intercourse with any person,

21           b. looking upon, touching, mauling or feeling the body or  
22 private parts of a child in a lewd or lascivious  
23 manner or for the purpose of sexual gratification,  
24

- 1 c. asking, inviting, enticing or persuading any child to  
2 go alone with any person to a secluded, remote or  
3 secret place for a lewd or lascivious purpose,  
4 d. urinating or defecating upon a child or causing,  
5 forcing or requiring a child to defecate or urinate  
6 upon the body or private parts of another person for  
7 the purpose of sexual gratification,  
8 e. ejaculating upon or in the presence of a child,  
9 f. causing, exposing, forcing or requiring a child to  
10 look upon the body or private parts of another person  
11 for the purpose of sexual gratification,  
12 g. causing, forcing or requiring any child to view any  
13 obscene materials, child pornography or materials  
14 deemed harmful to minors as such terms are defined in  
15 Sections 1024.1 and 1040.75 of this title,  
16 h. causing, exposing, forcing or requiring a child to  
17 look upon sexual acts performed in the presence of the  
18 child for the purpose of sexual gratification, or  
19 i. causing, forcing or requiring a child to touch or feel  
20 the body or private parts of the child or another  
21 person for the purpose of sexual gratification;

22 11. "Permit" means to authorize or allow for the care of a  
23 child by an individual when the person authorizing or allowing such  
24

1 care knows or reasonably should know that the child will be placed  
2 at risk of the conduct or harm proscribed by this section;

3 12. "Person responsible for a child's health, safety or  
4 welfare" for purposes of this section shall include, but not be  
5 limited to:

- 6 a. the parent of the child,
- 7 b. the legal guardian of the child,
- 8 c. the custodian of the child,
- 9 d. the foster parent of the child,
- 10 e. a person eighteen (18) years of age or older with whom  
11 the parent of the child cohabitates, who is at least  
12 three (3) years older than the child,
- 13 f. any other person eighteen (18) years of age or older  
14 residing in the home of the child, who is at least  
15 three (3) years older than the child,
- 16 g. an owner, operator, agent, employee or volunteer of a  
17 public or private residential home, institution,  
18 facility or day treatment program, as defined in  
19 Section 175.20 of Title 10 of the Oklahoma Statutes,  
20 that the child attended,
- 21 h. an owner, operator, agent, employee or volunteer of a  
22 child care facility, as defined in Section 402 of  
23 Title 10 of the Oklahoma Statutes, that the child  
24 attended,

1 i. an intimate partner of the parent of the child, as  
2 defined in Section 60.1 of Title 22 of the Oklahoma  
3 Statutes, or

4 j. a person who has voluntarily accepted responsibility  
5 for the care or supervision of a child;

6 13. "Sexual intercourse" means the actual penetration, however  
7 slight, of the vagina or anus by the penis; and

8 14. "Sodomy" means:

9 a. penetration, however slight, of the mouth of the child  
10 by a penis,

11 b. penetration, however slight, of the vagina of a person  
12 responsible for a child's health, safety or welfare,  
13 by the mouth of a child,

14 c. penetration, however slight, of the mouth of the  
15 person responsible for a child's health, safety or  
16 welfare by the penis of the child, or

17 d. penetration, however slight, of the vagina of the  
18 child by the mouth of the person responsible for a  
19 child's health, safety or welfare.

20 SECTION 6. AMENDATORY 21 O.S. 2021, Section 1021.2, is  
21 amended to read as follows:

22 Section 1021.2 A. Any person who shall procure or cause the  
23 participation of any minor under the age of eighteen (18) years in  
24 any child pornography or who knowingly possesses, procures, or

1 manufactures, or causes to be sold or distributed any child  
2 pornography shall be guilty, upon conviction, of a felony and shall  
3 be punished by imprisonment in the custody of the Department of  
4 Corrections for a term of not more less than twenty (20) five (5)  
5 years ~~or by the imposition of a fine of not more than Twenty five~~  
6 ~~Thousand Dollars (\$25,000.00) or by both said fine and imprisonment.~~  
7 ~~Persons convicted under this section shall not be eligible for a~~  
8 ~~deferred sentence. Except for persons sentenced to life or up to a~~  
9 ~~term of life without parole, any person sentenced to imprisonment~~  
10 ~~for two (2) years or more for a violation of this subsection shall~~  
11 ~~be required to serve a term of post-imprisonment supervision~~  
12 ~~pursuant to subparagraph f of paragraph 1 of subsection A of Section~~  
13 ~~991a of Title 22 of the Oklahoma Statutes under conditions~~  
14 ~~determined by the Department of Corrections. The jury shall be~~  
15 ~~advised that the mandatory post-imprisonment supervision shall be in~~  
16 ~~addition to the actual imprisonment.~~

17 B. The consent of the minor, or of the mother, father, legal  
18 guardian, or custodian of the minor to the activity prohibited by  
19 this section shall not constitute a defense.

20 SECTION 7. AMENDATORY 21 O.S. 2021, Section 1021.3, is  
21 amended to read as follows:

22 Section 1021.3 A. Any parent, guardian or individual having  
23 custody of a minor under the age of eighteen (18) years who  
24 knowingly permits or consents to the participation of a minor in any



1 child pornography shall be guilty of a felony and, upon conviction,  
2 shall be imprisoned in the custody of the Department of Corrections  
3 for a ~~period~~ term of not ~~more~~ less than ~~twenty (20)~~ ten (10) years  
4 or up to a ~~fine of not more than Twenty-five Thousand Dollars~~  
5 ~~(\$25,000.00) or by both such fine and imprisonment. Persons~~  
6 ~~convicted under this section shall not be eligible for a deferred~~  
7 ~~sentence. Except for persons sentenced to life or term of life~~  
8 ~~without parole, any person sentenced to imprisonment for two (2)~~  
9 ~~years or more for a violation of this subsection shall be required~~  
10 ~~to serve a term of post-imprisonment supervision pursuant to~~  
11 ~~subparagraph f of paragraph 1 of subsection A of Section 991a of~~  
12 ~~Title 22 of the Oklahoma Statutes under conditions determined by the~~  
13 ~~Department of Corrections. The jury shall be advised that the~~  
14 ~~mandatory post-imprisonment supervision shall be in addition to the~~  
15 ~~actual imprisonment.~~

16 B. The consent of the minor to the activity prohibited by this  
17 section shall not constitute a defense.

18 SECTION 8. AMENDATORY 21 O.S. 2021, Section 1024.2, is  
19 amended to read as follows:

20 Section 1024.2 It shall be unlawful for any person to buy,  
21 procure or possess child pornography in violation of Sections 1024.1  
22 through 1024.4 of this title. Such person shall, upon conviction,  
23 be guilty of a felony and shall be ~~imprisoned for a period of not~~  
24 ~~more than twenty (20) years or a fine up to, but not exceeding,~~

1 ~~Twenty five Thousand Dollars (\$25,000.00) or by both such fine and~~  
2 punished by imprisonment in the custody of the Department of  
3 Corrections for a term of not less than five (5) years up to a term  
4 of life without parole.

5 SECTION 9. AMENDATORY 21 O.S. 2021, Section 1031, as  
6 amended by Section 2, Chapter 265, O.S.L. 2023 (21 O.S. Supp. 2023,  
7 Section 1031), is amended to read as follows:

8 Section 1031. A. Except as provided in subsection B, C, D, or  
9 E of this section, any person violating any of the provisions of  
10 Section 1028, paragraph 1, 2, 3, or 5 of subsection A of Section  
11 1029, or Section 1030 of this title shall, upon conviction, be  
12 guilty of a misdemeanor and shall be punished by imprisonment in the  
13 county jail for not less than thirty (30) days nor more than one (1)  
14 year or by fines as follows: a fine not more than Two Thousand Five  
15 Hundred Dollars (\$2,500.00) upon the first conviction for violation  
16 of any of such provisions, a fine not more than Five Thousand  
17 Dollars (\$5,000.00) upon the second conviction for violation of any  
18 of such provisions, and a fine not more than Seven Thousand Five  
19 Hundred Dollars (\$7,500.00) upon the third or subsequent convictions  
20 for violation of any of such provisions, or by both such  
21 imprisonment and fine. In addition, the court may require a term of  
22 community service not less than forty (40) nor more than eighty (80)  
23 hours. The court in which any such conviction is had shall notify  
24 the county superintendent of public health of such conviction.

1 B. Any person who engages in an act of prostitution with  
2 knowledge that he or she is infected with the human immunodeficiency  
3 virus shall, upon conviction, be guilty of a felony punishable by  
4 imprisonment in the custody of the Department of Corrections for not  
5 more than five (5) years.

6 C. Any person who engages in an act of child prostitution as  
7 defined in Section 1030 of this title shall, upon conviction, be  
8 guilty of a felony punishable by imprisonment in the custody of the  
9 Department of Corrections for a term of not ~~more~~ less than ten (10)  
10 ~~years and by fines as follows: a fine not more than Five Thousand~~  
11 ~~Dollars (\$5,000.00) upon the first conviction, a fine not more than~~  
12 ~~Ten Thousand Dollars (\$10,000.00) upon the second conviction, and a~~  
13 ~~fine not more than Fifteen Thousand Dollars (\$15,000.00) upon the~~  
14 ~~third or subsequent convictions~~ up to a term not exceeding life  
15 imprisonment.

16 D. Any person violating any of the provisions of Section 1028,  
17 1029 or 1030 of this title within one thousand (1,000) feet of a  
18 school or church shall, upon conviction, be guilty of a felony and  
19 shall be punished by imprisonment in the custody of the Department  
20 of Corrections for not more than five (5) years or by fines as  
21 follows: a fine not more than Two Thousand Five Hundred Dollars  
22 (\$2,500.00) upon the first conviction for violation of any of such  
23 provisions, a fine not more than Five Thousand Dollars (\$5,000.00)  
24 upon the second conviction for violation of any of such provisions,

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

8 E. Any person violating paragraph 4 of subsection A of Section  
9 1029 of this title shall, upon conviction, be guilty of a felony and  
10 shall be punished in accordance with the provisions of subsection B  
11 of Section ~~3~~ 1040.57 of this ~~act~~ title.

12 SECTION 10. AMENDATORY 21 O.S. 2021, Section 1040.12a,  
13 is amended to read as follows:

14 Section 1040.12a A. Any person who, with knowledge of its  
15 contents, possesses one hundred (100) or more separate materials  
16 depicting child pornography shall ~~be~~, upon conviction, be guilty of  
17 aggravated possession of child pornography. The violator shall be  
18 punished by imprisonment in the custody of the Department of  
19 Corrections for a term of not exceeding less than fifteen (15) years  
20 up to a term of life imprisonment and by a fine in an amount not  
21 more than Ten Thousand Dollars (\$10,000.00) without parole. The  
22 violator, upon conviction, shall be required to register as a sex  
23 offender under the Sex Offenders Registration Act.

24 B. For purposes of this section:

1 1. Multiple copies of the same identical material shall each be  
2 counted as a separate item;

3 2. The term "material" means the same definition provided by  
4 Section 1040.75 of Title 21 of the Oklahoma Statutes and, in  
5 addition, includes all digital and computerized images and  
6 depictions; and

7 3. The term "child pornography" means the same definition  
8 provided by Section 1040.80 of Title 21 of the Oklahoma Statutes  
9 and, in addition, includes sexual conduct, sexual excitement,  
10 sadomasochistic abuse, and performance of material harmful to minors  
11 where a minor is present or depicted as such terms are defined in  
12 Section 1040.75 of Title 21 of the Oklahoma Statutes.

13 SECTION 11. AMENDATORY 21 O.S. 2021, Section 1115, is  
14 amended to read as follows:

15 Section 1115. Rape in the first degree is a felony punishable  
16 by ~~death or~~ imprisonment in the custody of the Department of  
17 Corrections, ~~for a term of not less than five (5) years, life or up~~  
18 to a term of life without parole. ~~Except for persons sentenced to~~  
19 ~~life or life without parole, any person sentenced to imprisonment~~  
20 ~~for two (2) years or more for a violation of this section shall be~~  
21 ~~required to serve a term of post-imprisonment supervision pursuant~~  
22 ~~to subparagraph f of paragraph 1 of subsection A of Section 991a of~~  
23 ~~Title 22 of the Oklahoma Statutes under conditions determined by the~~  
24 ~~Department of Corrections. The jury shall be advised that the~~

1 ~~mandatory post-imprisonment supervision shall be in addition to the~~  
2 ~~actual imprisonment. Any person convicted of a second or subsequent~~  
3 ~~violation of subsection A of Section 1114 of this title shall not be~~  
4 ~~eligible for any form of probation. Any person convicted of a third~~  
5 ~~or subsequent violation of subsection A of Section 1114 of this~~  
6 ~~title or of an offense under Section 888 of this title or an offense~~  
7 ~~under Section 1123 of this title or sexual abuse of a child pursuant~~  
8 ~~to Section 843.5 of this title, or any attempt to commit any of~~  
9 ~~these offenses or any combination of these offenses shall be~~  
10 ~~punished by imprisonment in the custody of the Department of~~  
11 ~~Corrections for life or life without parole.~~

12 SECTION 12. AMENDATORY 22 O.S. 2021, Section 1101, as  
13 amended by Section 1, Chapter 117, O.S.L. 2022 (22 O.S. Supp. 2023,  
14 Section 1101), is amended to read as follows:

15 Section 1101. A. Except as otherwise provided by law, bail, by  
16 sufficient sureties, shall be admitted upon all arrests in criminal  
17 cases where the offense is not punishable by death and in such cases  
18 it may be taken by any of the persons or courts authorized by law to  
19 arrest, to imprison offenders or to perform pretrial services, or by  
20 the clerk of the district court or his or her deputy, or by the  
21 judge of such courts.

22 B. In criminal cases where the defendant is currently an  
23 escaped prisoner from the Department of Corrections, the defendant  
24

1 must be processed back into the Department of Corrections prior to  
2 bail being set on new criminal charges.

3 C. All persons shall be bailable by sufficient sureties, except  
4 that bail may be denied for:

5 1. Capital offenses when the proof of guilt is evident, or the  
6 presumption thereof is great;

7 2. Violent offenses;

8 3. Offenses where the maximum sentence may be life imprisonment  
9 or life imprisonment without parole;

10 4. Felony offenses where the person charged with the offense  
11 has been convicted of two or more felony offenses arising out of  
12 different transactions; and

13 5. Controlled dangerous substances offenses where the maximum  
14 sentence may be at least ten (10) years' imprisonment.

15 On all offenses specified in paragraphs 2 through 5 of this  
16 subsection, the proof of guilt must be evident, or the presumption  
17 must be great, and it must be on the grounds that no condition of  
18 release would assure the safety of the community or any person.

19 D. There shall be a rebuttable presumption that no condition of  
20 release would assure the safety of the community if the state shows  
21 by clear and convincing evidence that the person was arrested for a  
22 violation of Section 741 of Title 21 of the Oklahoma Statutes.

23 E. If the person was arrested for any crime provided for in the  
24 Protection from Domestic Abuse Act or a violent crime provided for

1 in Section 571 of Title 57 of the Oklahoma Statutes, the court shall  
2 be responsible for assessing prior patterns of abuse and shall  
3 present written findings on the bail amount.

4 F. There shall be a rebuttable presumption that no condition of  
5 release would assure the safety of the community if the state shows  
6 by clear and convincing evidence that the person, at the time of the  
7 offense, was a registered sex offender and was arrested for a sex  
8 crime provided for in Section 582 of Title 57 of the Oklahoma  
9 Statutes.

10 SECTION 13. AMENDATORY 57 O.S. 2021, Section 138, is  
11 amended to read as follows:

12 Section 138. A. Except as otherwise provided by law, every  
13 inmate of a state correctional institution shall have their term of  
14 imprisonment reduced monthly, based upon the class level to which  
15 they are assigned. Earned credits may be subtracted from the total  
16 credits accumulated by an inmate, upon recommendation of the  
17 institution's disciplinary committee, following due process, and  
18 upon approval of the warden or superintendent. Each earned credit  
19 is equivalent to one (1) day of incarceration. Lost credits may be  
20 restored by the warden or superintendent upon approval of the  
21 classification committee. If a maximum and minimum term of  
22 imprisonment is imposed, the provisions of this subsection shall  
23 apply only to the maximum term. No earned credit deductions shall  
24 be credited ~~to any~~ or recorded for:



1        1. Any inmate serving a sentence of life imprisonment; however,  
2 a complete record of the inmate's participation in work, school,  
3 vocational training, or other approved program shall be maintained  
4 by the Department for consideration by the paroling authority. ~~No~~  
5 ~~earned credit deductions shall be credited or recorded for any;~~

6        2. Any inmate serving any sentence for a criminal act which  
7 resulted in the death of a police officer, a law enforcement  
8 officer, an employee of the Department of Corrections, or an  
9 employee of a private prison contractor and the death occurred while  
10 the police officer, law enforcement officer, employee of the  
11 Department of Corrections, or employee of a private prison  
12 contractor was acting within the scope of their employment. ~~No~~  
13 ~~earned credit deductions shall be credited or recorded for any;~~

14        3. Any person who is referred to an intermediate revocation  
15 facility for violating any of the terms and conditions of probation;  
16 or

17        4. Any inmate serving a sentence for:

18            a. rape in the first degree as provided for in Section  
19            1111, 1114, or 1115 of Title 21 of the Oklahoma  
20            Statutes,

21            b. child sexual abuse as provided for in subsection E or  
22            F of Section 843.5 of Title 21 of the Oklahoma  
23            Statutes,

1           c. child pornography or aggravated child pornography as  
2           provided for in Section 1021.2, 1021.3, 1024.1,  
3           1024.2, or 1040.12a of Title 21 of the Oklahoma  
4           Statutes,

5           d. child prostitution as provided for in Section 1031 of  
6           Title 21 of the Oklahoma Statutes, or

7           e. human trafficking of a minor for commercial sex as  
8           provided for in Section 748 of Title 21 of the  
9           Oklahoma Statutes.

10           B. The Department of Corrections is directed to develop a  
11 written policy and procedure whereby inmates shall be assigned to  
12 one of four class levels determined by an adjustment review  
13 committee of the facility to which the inmate is assigned. The  
14 policies and procedures developed by the Department shall include,  
15 but not be limited to, written guidelines pertaining to awarding  
16 credits for rehabilitation, obtaining job skills and educational  
17 enhancement, participation in and completion of alcohol/chemical  
18 abuse programs, incentives for inmates to accept work assignments  
19 and jobs, work attendance and productivity, conduct record,  
20 participation in programs, cooperative general behavior, and  
21 appearance. When assigning inmates to a class level the adjustment  
22 review committee shall consider all aspects of the policy and  
23 procedure developed by the Department including but not limited to  
24 the criteria for awarding credits required by this subsection.

1 C. If an inmate is subject to misconduct, nonperformance or  
2 disciplinary action, earned credits may be removed according to the  
3 policies and procedures developed by the Department. Earned credits  
4 removed for misconduct, nonperformance or disciplinary action may be  
5 restored as provided by Department policy, if any.

6 D. 1. Class levels shall be as follows:

7 a. Class level 1 shall include inmates not eligible to  
8 participate in class levels 2 through 4, and shall  
9 include, but not be limited to, inmates on escape  
10 status.

11 b. Class level 2 shall include an inmate who has been  
12 given a work, education, or program assignment, has  
13 received a good evaluation for participation in the  
14 work, education, or program assignment, and has  
15 received a good evaluation for personal hygiene and  
16 maintenance of living area.

17 c. Class level 3 shall include an inmate who has been  
18 incarcerated at least three (3) months, has received  
19 an excellent work, education, or program evaluation,  
20 and has received an excellent evaluation for personal  
21 hygiene and maintenance of living area.

22 d. Class level 4 shall include an inmate who has been  
23 incarcerated at least eight (8) months, has received  
24 an outstanding work, education, or program evaluation,

1 and has received an outstanding evaluation for  
2 personal hygiene and maintenance of living area.

3 2. a. Until November 1, 2001, class level corresponding  
4 credits are as follows:

5 Class 1 - 0 Credits per month;

6 Class 2 - 22 Credits per month;

7 Class 3 - 33 Credits per month;

8 Class 4 - 44 Credits per month.

9 b. Class level corresponding credits beginning November  
10 1, 2001, for inmates who have ever been convicted as  
11 an adult or a youthful offender or adjudicated  
12 delinquent as a juvenile for a felony offense  
13 enumerated in subsection E of this section are as  
14 follows:

15 Class 1 - 0 Credits per month;

16 Class 2 - 22 Credits per month;

17 Class 3 - 33 Credits per month;

18 Class 4 - 44 Credits per month.

19 c. Class level corresponding credits beginning November  
20 1, 2001, for inmates who have never been convicted as  
21 an adult or a youthful offender or adjudicated  
22 delinquent as a juvenile for a felony offense  
23 enumerated in subsection E of this section are as  
24 follows:

- 1           Class 1 - 0 Credits per month;
- 2           Class 2 - 22 Credits per month;
- 3           Class 3 - 45 Credits per month;
- 4           Class 4 - 60 Credits per month.

5           Each inmate shall receive the above specified monthly credits  
6 for the class to which he or she is assigned. In determining the  
7 prior criminal history of the inmate, the Department of Corrections  
8 shall review criminal history records available through the Oklahoma  
9 State Bureau of Investigation, Federal Bureau of Investigation, and  
10 National Crime Information Center to determine the reported felony  
11 convictions of all inmates. The Department of Corrections shall  
12 also review the Office of Juvenile Affairs Juvenile On-line Tracking  
13 System for inmates who were adjudicated delinquent or convicted as a  
14 youthful offender for a crime that would be an offense enumerated in  
15 subsection E of this section.

16           3. In addition to the criteria established for each class in  
17 paragraph 1 of this subsection, the following requirements shall  
18 apply to each of levels 2 through 4:

- 19           a. satisfactory participation in the work, education, or  
20           program assignment at the standard required for the  
21           particular class level,
- 22           b. maintenance of a clean and orderly living area and  
23           personal hygiene at the standard required for the  
24           particular class level,

1 c. cooperative behavior toward facility staff and other  
2 inmates, and

3 d. satisfactory participation in the requirements of the  
4 previous class level.

5 4. The evaluation scale for assessing performance shall be as  
6 follows:

7 a. Outstanding - For inmates who display consistently  
8 exceptional initiative, motivation, and work habits.

9 b. Excellent - For inmates who display above-average work  
10 habits with only minor errors and rarely perform below  
11 expectations.

12 c. Good - For inmates who perform in a satisfactory  
13 manner and complete tasks as required, doing what is  
14 expected, with only occasional performance above or  
15 below expectations.

16 d. Fair - For inmates who may perform satisfactorily for  
17 some periods of time, but whose performance is marked  
18 by obviously deficient and weak areas and could be  
19 improved.

20 e. Poor - For inmates whose performance is unsatisfactory  
21 and falls below expected and acceptable standards.

22 E. No person ever convicted as an adult or a youthful offender  
23 or adjudicated delinquent as a juvenile in this state for any felony  
24 offense enumerated in this subsection or a similar felony offense

1 pursuant to the provisions of another state, the United States, or a  
2 military court shall be eligible for the credits provided by the  
3 provisions of subparagraph c of paragraph 2 of subsection D of this  
4 section.

5 1. Assault, battery, or assault and battery with a dangerous  
6 weapon as defined by Section 645, subsection C of Section 652 of  
7 Title 21 or Section 2-219 of Title 43A of the Oklahoma Statutes;

8 2. Aggravated assault and battery on a police officer, sheriff,  
9 highway patrolman, or any other officer of the law as defined by  
10 Section 650, subsection C of Section 650.2, 650.5, subsection B of  
11 Section 650.6, or subsection C of Section 650.7 of Title 21 of the  
12 Oklahoma Statutes;

13 3. Poisoning with intent to kill as defined by Section 651 of  
14 Title 21 of the Oklahoma Statutes;

15 4. Shooting with intent to kill as defined by Section 652 of  
16 Title 21 of the Oklahoma Statutes;

17 5. Assault with intent to kill as defined by Section 653 of  
18 Title 21 of the Oklahoma Statutes;

19 6. Assault with intent to commit a felony as defined by Section  
20 681 of Title 21 of the Oklahoma Statutes;

21 7. Assaults while masked or disguised as defined by Section  
22 1303 of Title 21 of the Oklahoma Statutes;

23 8. Entering premises of another while masked as defined by  
24 Section 1302 of Title 21 of the Oklahoma Statutes;

- 1 9. Murder in the first degree as defined by Section 701.7 of  
2 Title 21 of the Oklahoma Statutes;
- 3 10. Solicitation for Murder in the first degree as defined by  
4 Section 701.16 of Title 21 of the Oklahoma Statutes;
- 5 11. Murder in the second degree as defined by Section 701.8 of  
6 Title 21 of the Oklahoma Statutes;
- 7 12. Manslaughter in the first degree as defined by Section 711,  
8 712 or 714 of Title 21 of the Oklahoma Statutes;
- 9 13. Manslaughter in the second degree as defined by Section 716  
10 or 717 of Title 21 of the Oklahoma Statutes;
- 11 14. Kidnapping as defined by Section 741 of Title 21 of the  
12 Oklahoma Statutes;
- 13 15. Burglary in the first degree as defined by Section 1431 of  
14 Title 21 of the Oklahoma Statutes;
- 15 16. Burglary with explosives as defined by Section 1441 of  
16 Title 21 of the Oklahoma Statutes;
- 17 17. Kidnapping for extortion as defined by Section 745 of Title  
18 21 of the Oklahoma Statutes;
- 19 18. Maiming as defined by Section 751 of Title 21 of the  
20 Oklahoma Statutes;
- 21 19. Robbery as defined by Section 791 of Title 21 of the  
22 Oklahoma Statutes;
- 23 20. Robbery in the first degree as defined by Section 797 of  
24 Title 21 of the Oklahoma Statutes;



1           21. Robbery in the second degree as defined by Section 797 of  
2 Title 21 of the Oklahoma Statutes;

3           22. Armed robbery as defined by Section 801 of Title 21 of the  
4 Oklahoma Statutes;

5           23. Robbery by two or more persons as defined by Section 800 of  
6 Title 21 of the Oklahoma Statutes;

7           24. Robbery with dangerous weapon or imitation firearm as  
8 defined by Section 801 of Title 21 of the Oklahoma Statutes;

9           25. Any crime against a child provided for in Section 843.5 of  
10 Title 21 of the Oklahoma Statutes;

11           26. Wiring any equipment, vehicle or structure with explosives  
12 as defined by Section 849 of Title 21 of the Oklahoma Statutes;

13           27. Forcible sodomy as defined by Section 888 of Title 21 of  
14 the Oklahoma Statutes;

15           28. Rape in the first degree as defined by Sections 1111 and  
16 1114 of Title 21 of the Oklahoma Statutes;

17           29. Rape in the second degree as defined by Sections 1111 and  
18 1114 of Title 21 of the Oklahoma Statutes;

19           30. Rape by instrumentation as defined by Section 1111.1 of  
20 Title 21 of the Oklahoma Statutes;

21           31. Lewd or indecent proposition or lewd or indecent act with a  
22 child as defined by Section 1123 of Title 21 of the Oklahoma  
23 Statutes;

24

1           32. Sexual battery of a person over 16 as defined by Section  
2 1123 of Title 21 of the Oklahoma Statutes;

3           33. Use of a firearm or offensive weapon to commit or attempt  
4 to commit a felony as defined by Section 1287 of Title 21 of the  
5 Oklahoma Statutes;

6           34. Pointing firearms as defined by Section 1289.16 of Title 21  
7 of the Oklahoma Statutes;

8           35. Rioting as defined by Section 1311 or 1321.8 of Title 21 of  
9 the Oklahoma Statutes;

10          36. Inciting to riot as defined by Section 1320.2 of Title 21  
11 of the Oklahoma Statutes;

12          37. Arson in the first degree as defined by Section 1401 of  
13 Title 21 of the Oklahoma Statutes;

14          38. Endangering human life during arson as defined by Section  
15 1405 of Title 21 of the Oklahoma Statutes;

16          39. Injuring or burning public buildings as defined by Section  
17 349 of Title 21 of the Oklahoma Statutes;

18          40. Sabotage as defined by Section 1262, 1265.4 or 1265.5 of  
19 Title 21 of the Oklahoma Statutes;

20          41. Extortion as defined by Section 1481 or 1486 of Title 21 of  
21 the Oklahoma Statutes;

22          42. Obtaining signature by extortion as defined by Section 1485  
23 of Title 21 of the Oklahoma Statutes;

24

- 1        43. Seizure of a bus, discharging firearm or hurling missile at  
2 bus as defined by Section 1903 of Title 21 of the Oklahoma Statutes;
- 3        44. Mistreatment of a vulnerable adult as defined by Section  
4 843.1 of Title 21 of the Oklahoma Statutes;
- 5        45. Sex offender providing services to a child as defined by  
6 Section 404.1 of Title 10 of the Oklahoma Statutes;
- 7        46. A felony offense of domestic abuse as defined by subsection  
8 C of Section 644 of Title 21 of the Oklahoma Statutes;
- 9        47. Prisoner placing body fluid on government employee as  
10 defined by Section 650.9 of Title 21 of the Oklahoma Statutes;
- 11       48. Poisoning food or water supply as defined by Section 832 of  
12 Title 21 of the Oklahoma Statutes;
- 13       49. Trafficking in children as defined by Section 866 of Title  
14 21 of the Oklahoma Statutes;
- 15       50. Incest as defined by Section 885 of Title 21 of the  
16 Oklahoma Statutes;
- 17       51. Procure, produce, distribute, or possess juvenile  
18 pornography as defined by Section 1021.2 of Title 21 of the Oklahoma  
19 Statutes;
- 20       52. Parental consent to juvenile pornography as defined by  
21 Section 1021.3 of Title 21 of the Oklahoma Statutes;
- 22       53. Soliciting minor for indecent exposure as defined by  
23 Section 1021 of Title 21 of the Oklahoma Statutes;
- 24

1        54. Distributing obscene material or child pornography as  
2 defined by Section 1040.13 of Title 21 of the Oklahoma Statutes;

3        55. Child prostitution as defined by Section 1030 of Title 21  
4 of the Oklahoma Statutes;

5        56. Procuring a minor for prostitution or other lewd acts as  
6 defined by Section 1087 of Title 21 of the Oklahoma Statutes;

7        57. Transporting a child under 18 for purposes of prostitution  
8 as defined by Section 1087 of Title 21 of the Oklahoma Statutes;

9        58. Inducing a minor to engage in prostitution as defined by  
10 Section 1088 of Title 21 of the Oklahoma Statutes;

11       59. A felony offense of stalking as defined by subsection D of  
12 Section 1173 of Title 21 of the Oklahoma Statutes;

13       60. Spread of infectious diseases as defined by Section 1192 of  
14 Title 21 of the Oklahoma Statutes;

15       61. Advocate overthrow of government by force, commit or  
16 attempt to commit acts to overthrow the government, organize or  
17 provide assistance to groups to overthrow the government as defined  
18 by Section 1266, 1266.4 or 1267.1 of Title 21 of the Oklahoma  
19 Statutes;

20       62. Feloniously discharging a firearm as defined by Section  
21 1289.17A of Title 21 of the Oklahoma Statutes;

22       63. Possession, use, manufacture, or threat of incendiary  
23 device as defined by Section 1767.1 of Title 21 of the Oklahoma  
24 Statutes;

1       64. Causing a personal injury accident while driving under the  
2 influence as defined by Section 11-904 of Title 47 of the Oklahoma  
3 Statutes; or

4       65. Using a motor vehicle to facilitate the discharge of a  
5 firearm as defined by Section 652 of Title 21 of the Oklahoma  
6 Statutes.

7       F. The policy and procedure developed by the Department of  
8 Corrections shall include provisions for adjustment review  
9 committees of not less than three members for each such committee.  
10 Each committee shall consist of a classification team supervisor who  
11 shall act as chairman, the case manager for the inmate being  
12 reviewed or classified, a correctional officer or inmate counselor,  
13 and not more than two other members, if deemed necessary, determined  
14 pursuant to policy and procedure to be appropriate for the specific  
15 adjustment review committee or committees to which they are  
16 assigned. At least once every four (4) months the adjustment review  
17 committee for each inmate shall evaluate the class level status and  
18 performance of the inmate and determine whether or not the class  
19 level for the inmate should be changed.

20       Any inmate who feels aggrieved by a decision made by an  
21 adjustment review committee may utilize normal grievance procedures  
22 in effect with the Department of Corrections and in effect at the  
23 facility in which the inmate is incarcerated.

1 G. Inmates granted medical leaves for treatment that cannot be  
2 furnished at the penal institution where incarcerated shall be  
3 allowed the time spent on medical leave as time served. Any inmate  
4 placed into administrative segregation for nondisciplinary reasons  
5 by the institution's administration may be placed in Class 2. The  
6 length of any jail term served by an inmate before being transported  
7 to a state correctional institution pursuant to a judgment and  
8 sentence of incarceration shall be deducted from the term of  
9 imprisonment at the state correctional institution. Inmates  
10 sentenced to the Department of Corrections and detained in a county  
11 jail as a result of the Department's reception scheduling procedure  
12 shall be awarded earned credits as provided for in subparagraph b of  
13 paragraph 1 of subsection D of this section, beginning on the date  
14 of the judgment and sentence, unless the inmate is convicted of a  
15 misdemeanor or felony committed in the jail while the inmate is  
16 awaiting transport to the Lexington Assessment and Reception Center  
17 or other assessment and reception location determined by the  
18 Director of the Department of Corrections.

19 H. Additional achievement earned credits for successful  
20 completion of departmentally approved programs or for attaining  
21 goals or standards set by the Department shall be awarded as  
22 follows:

- 23 Bachelor's degree.....200 credits;
- 24 Associate's degree.....100 credits;

1 High School Diploma or High School  
2 Equivalency Diploma.....90 credits;  
3 Certification of Completion of  
4 Vocational Training.....80 credits;  
5 Successful completion of  
6 Alcohol/Chemical Abuse Treatment  
7 Program of not less than four (4)  
8 months continuous participation.....70 credits;  
9 Successful completion of other  
10 Educational Accomplishments or  
11 other programs not specified in  
12 this subsection.....10-30 credits;

13 Achievement earned credits are subject to loss and restoration in  
14 the same manner as earned credits.

15 I. The accumulated time of every inmate shall be tallied  
16 monthly and maintained by the institution where the term of  
17 imprisonment is being served. A record of said accumulated time  
18 shall be:

- 19 1. Sent to the administrative office of the Department of  
20 Corrections on a quarterly basis; and
  - 21 2. Provided to the inmate.
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SECTION 14. This act shall become effective November 1, 2024.

59-2-10689      GRS      03/05/24