

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3002

By: Worthen

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8 COMMITTEE SUBSTITUTE

9 An Act relating to crimes and punishments; amending
10 21 O.S. 2021, Sections 642 and 646, which relate to
11 definitions for battery and aggravated assault and
12 battery; modifying scope of certain definitions;
13 amending 21 O.S. 2021, Section 723, which relates to
14 proof of knowledge and intent; expanding scope of
15 exceptions to include certain criminal offenses; and
16 providing an effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2021, Section 642, is
19 amended to read as follows:

20 Section 642. A battery is any willful and unlawful use of force
21 or violence upon ~~the person of~~ another person or unborn child.

22 SECTION 2. AMENDATORY 21 O.S. 2021, Section 646, is
23 amended to read as follows:

24 Section 646. A. An assault and battery becomes aggravated when
committed under any of the following circumstances:

1 1. When great bodily injury is inflicted upon the person or
2 unborn child assaulted; or

3 2. When committed by a person of robust health or strength upon
4 one who is aged, decrepit, or incapacitated, as defined in Section
5 641 of this title.

6 B. For purposes of this section "great bodily injury" means
7 bone fracture, protracted and obvious disfigurement, protracted loss
8 or impairment of the function of a body part, organ or mental
9 faculty, or substantial risk of death.

10 SECTION 3. AMENDATORY 21 O.S. 2021, Section 723, is
11 amended to read as follows:

12 Section 723. Any offense committed pursuant to the provisions
13 of Section 642, 646, 652, 701.7, 701.8, 711 or 716 of this title
14 does not require proof that the person engaging in the conduct had
15 knowledge or should have had knowledge that the victim of the
16 underlying offense was pregnant or that the offender intended to
17 cause the death or bodily injury to the unborn child.

18 SECTION 4. This act shall become effective November 1, 2024.

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20 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
21 02/08/2024 - DO PASS, As Amended.

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