

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 HOUSE BILL 3450

 By: Boatman

7 AS INTRODUCED

8 An Act relating to child prostitution; amending 21
9 O.S. 2021, Section 13.1, which relates to required
10 minimum sentences; modifying name of certain unlawful
11 act; amending 21 O.S. 2021, Section 843.5, which
12 relates to penalties for child abuse; modifying name
13 of certain unlawful act; amending 21 O.S. 2021,
14 Sections 1029, as last amended by Section 1, Chapter
15 265, O.S.L. 2023, 1030 and 1031, as amended by
16 Section 2, Chapter 265, O.S.L. 2023 (21 O.S. Supp.
17 2023, Sections 1029 and 1031), which relate to the
18 Oklahoma Law on Obscenity and Child Pornography;
19 modifying name of certain unlawful act; amending 21
20 O.S. 2021, Sections 1087 and 1088, which relate to
21 child prostitution; modifying name of certain
22 unlawful act; amending 22 O.S. 2021, Section 40,
23 which relates to definitions of certain criminal
24 offenses; modifying name of certain unlawful act;
 amending 22 O.S. 2021, Section 126, which relates to
 jurisdiction for kidnapping offenses; increasing age
 requirement; clarifying circumstance that dictates
 jurisdiction for certain kidnapping offense; amending
 22 O.S. 2021, Section 991h, which relates to no
 contact orders by the court; modifying name of
 certain unlawful act; amending 57 O.S. 2021, Section
 138, which relates to earned credits for good
 conduct; modifying name of certain unlawful act;
 amending 57 O.S. 2021, Section 332.16, which relates
 to parole recommendations; modifying name of certain
 unlawful act; amending 57 O.S. 2021, Section 571, as
 amended by Section 2, Chapter 212, O.S.L. 2023 (57
 O.S. Supp. 2023, Section 571), which relates to
 violent crime definition; modifying name of certain
 unlawful act; amending 57 O.S. 2021, Section 582,

1 which relates to the Sex Offenders Registration Act;
2 modifying name of certain unlawful act; amending 74
3 O.S. 2021, Section 151.1, which relates to the
4 Internet Crimes Against Children Unit; modifying name
5 of certain unlawful act; and providing an effective
6 date.

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

8 SECTION 1. AMENDATORY 21 O.S. 2021, Section 13.1, is
9 amended to read as follows:

10 Section 13.1 Persons convicted of:

11 1. First degree murder as defined in Section 701.7 of this
12 title;

13 2. Second degree murder as defined by Section 701.8 of this
14 title;

15 3. Manslaughter in the first degree as defined by Section 711
16 of this title;

17 4. Poisoning with intent to kill as defined by Section 651 of
18 this title;

19 5. Shooting with intent to kill, use of a vehicle to facilitate
20 use of a firearm, crossbow or other weapon, assault, battery, or
21 assault and battery with a deadly weapon or by other means likely to
22 produce death or great bodily harm, as provided for in Section 652
23 of this title;

- 1 6. Assault with intent to kill as provided for in Section 653
2 of this title;
- 3 7. Conjoint robbery as defined by Section 800 of this title;
- 4 8. Robbery with a dangerous weapon as defined in Section 801 of
5 this title;
- 6 9. First degree robbery as defined in Section 797 of this
7 title;
- 8 10. First degree rape as provided for in Section 1111, 1114 or
9 1115 of this title;
- 10 11. First degree arson as defined in Section 1401 of this
11 title;
- 12 12. First degree burglary as provided for in Section 1436 of
13 this title;
- 14 13. Bombing as defined in Section 1767.1 of this title;
- 15 14. Any crime against a child provided for in Section 843.5 of
16 this title;
- 17 15. Forcible sodomy as defined in Section 888 of this title;
- 18 16. Child pornography or aggravated child pornography as
19 defined in Section 1021.2, 1021.3, 1024.1, 1024.2 or 1040.12a of
20 this title;
- 21 17. Child ~~prostitution~~ sex trafficking as defined in Section
22 1030 of this title;
- 23 18. Lewd molestation of a child as defined in Section 1123 of
24 this title;

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

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

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

7 22. Human trafficking as provided for in Section 748 of this
8 title,

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

16 SECTION 2. AMENDATORY 21 O.S. 2021, Section 843.5, is
17 amended to read as follows:

18 Section 843.5 A. Any person who shall willfully or maliciously
19 engage in child abuse, as defined in this section, shall, upon
20 conviction, be guilty of a felony punishable by imprisonment in the
21 custody of the Department of Corrections not exceeding life
22 imprisonment, or by imprisonment in a county jail not exceeding one
23 (1) year, or by a fine of not less than Five Hundred Dollars

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1 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both
2 such fine and imprisonment.

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

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

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

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

22 F. Any person responsible for the health, safety or welfare of
23 a child who shall willfully or maliciously engage in child sexual
24 abuse, as defined in this section, to a child under twelve (12)

1 years of age shall, upon conviction, be punished by imprisonment in
2 the custody of the Department of Corrections for not less than
3 twenty-five (25) years nor more than life imprisonment, and by a
4 fine of not less than Five Hundred Dollars (\$500.00) nor more than
5 Five Thousand Dollars (\$5,000.00).

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

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

1 subsection shall be required to serve a term of post-imprisonment
2 supervision pursuant to subparagraph f of paragraph 1 of subsection
3 A of Section 991a of Title 22 of the Oklahoma Statutes under
4 conditions determined by the Department of Corrections. The jury
5 shall be advised that the mandatory post-imprisonment supervision
6 shall be in addition to the actual imprisonment.

7 I. Any person who shall willfully or maliciously engage in
8 child sexual exploitation, as defined in this section, of a child
9 under twelve (12) years of age shall, upon conviction, be punished
10 by imprisonment in the custody of the Department of Corrections for
11 not less than twenty-five (25) years nor more than life
12 imprisonment, and by a fine of not less than Five Hundred Dollars
13 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00).

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

23 K. Notwithstanding any other provision of law, any person
24 convicted of forcible anal or oral sodomy, rape, rape by

1 instrumentation, or lewd molestation of a child under fourteen (14)
2 years of age subsequent to a previous conviction for any offense of
3 forcible anal or oral sodomy, rape, rape by instrumentation, or lewd
4 molestation of a child under fourteen (14) years of age shall be
5 punished by death or by imprisonment for life without parole.

6 L. Provided, however, that nothing contained in this section
7 shall prohibit any parent or guardian from using reasonable and
8 ordinary force pursuant to Section 844 of this title.

9 M. Consent shall not be a defense for any violation provided
10 for in this section.

11 N. Notwithstanding the age requirements of other statutes
12 referenced within this section, this section shall apply to any
13 child under eighteen (18) years of age.

14 O. As used in this section:

15 1. "Child abuse" means:

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

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

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

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

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

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

- 19 a. human trafficking, as provided for in Section 748 of
20 this title, if the offense involved child trafficking
21 for commercial sex,
- 22 b. trafficking in children, as provided for in Section
23 866 of this title, if the offense was committed for
24 the sexual gratification of any person,

- 1 c. procuring or causing the participation of a minor in
2 child pornography, as provided for in Section 1021.2
3 of this title,
- 4 d. purchase, procurement or possession of child
5 pornography, as provided for in Section 1024.2 of this
6 title,
- 7 e. engaging in or soliciting prostitution, as provided
8 for in Section 1029 of this title, if the offense
9 involved child ~~prostitution~~ sex trafficking,
- 10 f. publication, distribution or participation in the
11 preparation of obscene material, as provided for in
12 Section 1040.8 of this title, if the offense involved
13 child pornography,
- 14 g. aggravated possession of child pornography, as
15 provided for in Section 1040.12a of this title,
- 16 h. sale or distribution of obscene material, as provided
17 for in Section 1040.13 of this title,
- 18 i. soliciting sexual conduct or communication with a
19 minor by use of technology, as provided for in Section
20 ~~1043.13a~~ 1040.13a of this title,
- 21 j. offering or transporting a child for purposes of
22 ~~prostitution~~ child sex trafficking, as provided for in
23 Section 1087 of this title, and
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1 k. child ~~prostitution~~ sex trafficking, as provided for in
2 Section 1088 of this title;

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

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

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

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

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

18 10. "Lewd act or proposal" means:

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

1 11. "Permit" means to authorize or allow for the care of a
2 child by an individual when the person authorizing or allowing such
3 care knows or reasonably should know that the child will be placed
4 at risk of the conduct or harm proscribed by this section;

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

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

1 Title 10 of the Oklahoma Statutes, that the child
2 attended,

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

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

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

10 14. "Sodomy" means:

11 a. penetration, however slight, of the mouth of the child
12 by a penis,

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

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

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

22 SECTION 3. AMENDATORY 21 O.S. 2021, Section 1029, as
23 last amended by Section 1, Chapter 265, O.S.L. 2023 (21 O.S. Supp.
24 2023, Section 1029), is amended to read as follows:

1 Section 1029. A. It shall further be unlawful:

2 1. To engage in prostitution, lewdness, or assignation;

3 2. To solicit, induce, or entice another person to pay or
4 provide money or any other item or service of value to engage in an
5 act of lewdness, assignation, or prostitution, with himself or
6 herself;

7 3. To reside in, enter, or remain in any house, place,
8 building, or other structure, or to enter or remain in any vehicle,
9 trailer, or other conveyance with the intent of committing an act of
10 prostitution, lewdness, or assignation;

11 4. To knowingly offer money or any other item or service of
12 value, or agree to provide or pay money or any other item or service
13 of value to, or on behalf of, another person, for the purpose of
14 engaging in sexual conduct, as defined in subsection B of Section
15 1024.1 of this title, with that person or another; or

16 5. To aid, abet, or participate in the doing of any of the acts
17 prohibited in paragraph 1, 2, 3, or 4 of this subsection.

18 B. Any prohibited act described in paragraph 1, 2, 3, 4, or 5
19 of subsection A of this section committed with a person under
20 eighteen (18) years of age shall be deemed child ~~prostitution~~ sex
21 trafficking, as defined in Section 1030 of this title, and shall be
22 punishable as provided in Section 1031 of this title.

23 C. No child who is a victim of human trafficking shall be
24 subject to juvenile delinquency or criminal proceedings for the

1 offenses described in subsection A of this section which occurred as
2 a result of the child being a victim of human trafficking.

3 SECTION 4. AMENDATORY 21 O.S. 2021, Section 1030, is
4 amended to read as follows:

5 Section 1030. As used in the Oklahoma Statutes, unless
6 otherwise provided for by law:

7 1. "Prostitution" means:

8 a. the giving or receiving of the body for sexual
9 intercourse, fellatio, cunnilingus, masturbation, anal
10 intercourse or lewdness with any person not his or her
11 spouse, in exchange for money or any other thing of
12 value, or

13 b. the making of any appointment or engagement for sexual
14 intercourse, fellatio, cunnilingus, masturbation, anal
15 intercourse or lewdness with any person not his or her
16 spouse, in exchange for money or any other thing of
17 value;

18 2. ~~"Child prostitution"~~ "Child sex trafficking" means
19 prostitution or lewdness as defined in this section with a person
20 under eighteen (18) years of age, in exchange for money or any other
21 thing of value;

22 3. "Anal intercourse" means contact between human beings of the
23 genital organs of one and the anus of another;

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1 4. "Cunnilingus" means any act of oral stimulation of the vulva
2 or clitoris;

3 5. "Fellatio" means any act of oral stimulation of the penis;

4 6. "Lewdness" means:

5 a. any lascivious, lustful or licentious conduct,

6 b. the giving or receiving of the body for indiscriminate
7 sexual intercourse, fellatio, cunnilingus,
8 masturbation, anal intercourse, or lascivious, lustful
9 or licentious conduct with any person not his or her
10 spouse, or

11 c. any act in furtherance of such conduct or any
12 appointment or engagement for prostitution; and

13 7. "Masturbation" means stimulation of the genital organs by
14 manual or other bodily contact exclusive of sexual intercourse.

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

18 Section 1031. A. Except as provided in subsection B, C, D, or
19 E of this section, any person violating any of the provisions of
20 Section 1028, paragraph 1, 2, 3, or 5 of subsection A of Section
21 1029, or Section 1030 of this title shall, upon conviction, be
22 guilty of a misdemeanor and 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 not more than Two Thousand Five

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

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

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

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, upon conviction, be guilty of a felony and
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 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 not more than Five Thousand Dollars (\$5,000.00)
9 upon the second conviction for violation of any of such provisions,
10 and a fine not more than Seven Thousand Five Hundred Dollars
11 (\$7,500.00) upon the third or subsequent convictions for violation
12 of any of such provisions, or by both such imprisonment and fine.
13 In addition, the court may require a term of community service not
14 less than forty (40) nor more than eighty (80) hours. The court in
15 which any such conviction is had shall notify the county
16 superintendent of public health of such conviction.

17 E. Any person violating paragraph 4 of subsection A of Section
18 1029 of this title shall, upon conviction, be guilty of a felony and
19 shall be punished in accordance with the provisions of subsection B
20 of Section ~~3~~ 1040.57 of this ~~act~~ title.

21 SECTION 6. AMENDATORY 21 O.S. 2021, Section 1087, is
22 amended to read as follows:

23 Section 1087. A. No person shall:
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1 1. Offer, or offer to secure, a child under eighteen (18) years
2 of age for the purpose of ~~prostitution~~ child sex trafficking, or for
3 any other lewd or indecent act, or procure or offer to procure a
4 child for, or a place for a child as an inmate in, a house of
5 prostitution or other place where prostitution is practiced;

6 2. Receive or to offer or agree to receive any child under
7 eighteen (18) years of age into any house, place, building, other
8 structure, vehicle, trailer, or other conveyance for the purpose of
9 ~~prostitution~~ child sex trafficking, lewdness, or assignation, or to
10 permit any person to remain there for such purpose; or

11 3. Direct, take, or transport, or to offer or agree to take or
12 transport, or aid or assist in transporting, any child under
13 eighteen (18) years of age to any house, place, building, other
14 structure, vehicle, trailer, or other conveyance, or to any other
15 person with knowledge or having reasonable cause to believe that the
16 purpose of such directing, taking, or transporting is ~~prostitution~~
17 child sex trafficking, lewdness, or assignation.

18 B. 1. Any person violating the provisions of subsection A of
19 this section shall, upon conviction, be guilty of a felony
20 punishable by imprisonment of not less than one (1) year nor more
21 than ten (10) years.

22 2. Any owner, proprietor, keeper, manager, conductor, or other
23 person who knowingly permits any violation of this section in any
24 house, building, room, or other premises or any conveyances under

1 his or her control or of which he or she has possession shall, upon
2 conviction for the first offense, be guilty of a misdemeanor and
3 punishable by imprisonment in the county jail for a period of not
4 less than six (6) months nor more than one (1) year, and by a fine
5 of not less than Five Hundred Dollars (\$500.00) nor more than Five
6 Thousand Dollars (\$5,000.00). Upon conviction for a subsequent
7 offense pursuant to this subsection, such person shall be guilty of
8 a felony and shall be punished by imprisonment in the custody of the
9 Department of Corrections for a period of not less than one (1) year
10 nor more than ten (10) years, or by a fine of not less than Five
11 Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand
12 Dollars (\$25,000.00), or by both such fine and imprisonment.

13 C. Except for persons sentenced to life or life without parole,
14 any person sentenced to imprisonment for two (2) years or more for a
15 violation of this section shall be required to serve a term of post-
16 imprisonment supervision pursuant to subparagraph f of paragraph 1
17 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
18 under conditions determined by the Department of Corrections. The
19 jury shall be advised that the mandatory post-imprisonment
20 supervision shall be in addition to the actual imprisonment.

21 SECTION 7. AMENDATORY 21 O.S. 2021, Section 1088, is
22 amended to read as follows:

23 Section 1088. A. No person shall:
24

1 1. By promise, threats, violence, or by any device or scheme,
2 including but not limited to the use of any controlled dangerous
3 substance prohibited pursuant to the provisions of the Uniform
4 Controlled Dangerous Substances Act, cause, induce, persuade, or
5 encourage a child under eighteen (18) years of age to engage or
6 continue to engage in ~~prostitution~~ child sex trafficking or to
7 become or remain an inmate of a house of prostitution or other place
8 where prostitution is practiced;

9 2. Keep, hold, detain, restrain, or compel against his or her
10 will, any child under eighteen (18) years of age to engage in the
11 practice of ~~prostitution~~ child sex trafficking or in a house of
12 prostitution or other place where ~~prostitution~~ child sex trafficking
13 is practiced or allowed; or

14 3. Directly or indirectly keep, hold, detain, restrain, or
15 compel or attempt to keep, hold, detain, restrain, or compel a child
16 under eighteen (18) years of age to engage in the practice of
17 ~~prostitution~~ child sex trafficking or in a house of prostitution or
18 any place where prostitution is practiced or allowed for the purpose
19 of compelling such child to directly or indirectly pay, liquidate,
20 or cancel any debt, dues, or obligations incurred, or said to have
21 been incurred, by such child.

22 B. 1. Any person violating the provisions of this section
23 other than paragraph 2 of this subsection, upon conviction, shall be
24 guilty of a felony punishable by imprisonment in the custody of the

1 Department of Corrections for not less than one (1) year nor more
2 than twenty-five (25) years, and by a fine of not less than Five
3 Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand
4 Dollars (\$25,000.00).

5 2. Any owner, proprietor, keeper, manager, conductor, or other
6 person who knowingly permits a violation of this section in any
7 house, building, room, tent, lot or premises under his or her
8 control or of which he or she has possession, upon conviction for
9 the first offense, shall be guilty of a misdemeanor punishable by
10 imprisonment in the county jail for a period of not less than six
11 (6) months nor more than one (1) year, and by a fine of not more
12 than Five Thousand Dollars (\$5,000.00). Upon conviction for a
13 subsequent offense pursuant to the provisions of this ~~subsection~~
14 paragraph, such person shall be guilty of a felony punishable by
15 imprisonment in the custody of the Department of Corrections for a
16 period of not less than one (1) year nor more than ten (10) years,
17 and by a fine of not less than Five Thousand Dollars (\$5,000.00) nor
18 more than Twenty-five Thousand Dollars (\$25,000.00).

19 C. Except for persons sentenced to life or life without parole,
20 any person sentenced to imprisonment for two (2) years or more for a
21 violation of this section shall be required to serve a term of post-
22 imprisonment supervision pursuant to subparagraph f of paragraph 1
23 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
24 under conditions determined by the Department of Corrections. The

1 jury shall be advised that the mandatory post-imprisonment
2 supervision shall be in addition to the actual imprisonment.

3 SECTION 8. AMENDATORY 22 O.S. 2021, Section 40, is
4 amended to read as follows:

5 Section 40. As used in Sections 40 through 40.3 of this title:

6 1. "Assault and battery with a deadly weapon" means assault and
7 battery with a deadly weapon or other means likely to produce death
8 or great bodily harm as provided in Section 652 of Title 21 of the
9 Oklahoma Statutes;

10 2. "Forcible sodomy" means the act of forcing another person to
11 engage in the detestable and abominable crime against nature
12 pursuant to Sections 886 and 887 of Title 21 of the Oklahoma
13 Statutes that is punishable under Section 888 of Title 21 of the
14 Oklahoma Statutes;

15 3. "Kidnapping" means kidnapping or kidnapping for purposes of
16 extortion as provided in Sections 741 and 745 of Title 21 of the
17 Oklahoma Statutes;

18 4. "Member of the immediate family" means the spouse, a child
19 by birth or adoption, a stepchild, a parent by birth or adoption, a
20 stepparent, a grandparent, a grandchild, a sibling or a stepsibling
21 of a victim of first-degree murder;

22 5. "Rape" means an act of sexual intercourse accomplished with
23 a person pursuant to Sections 1111, 1111.1 and 1114 of Title 21 of
24 the Oklahoma Statutes; and

1 6. "Sex offense" means the following crimes:

2 a. sexual assault as provided in Section 681 of Title 21
3 of the Oklahoma Statutes,

4 b. human trafficking for commercial sex as provided in
5 Section 748 of Title 21 of the Oklahoma Statutes,

6 c. sexual abuse or sexual exploitation by a caretaker as
7 provided in Section 843.1 of Title 21 of the Oklahoma
8 Statutes,

9 d. child sexual abuse or child sexual exploitation as
10 provided in Section 843.5 of Title 21 of the Oklahoma
11 Statutes,

12 e. permitting sexual abuse of a child as provided in
13 Section 852.1 of Title 21 of the Oklahoma Statutes,

14 f. incest as provided in Section 885 of Title 21 of the
15 Oklahoma Statutes,

16 g. forcible sodomy as provided in Section 888 of Title 21
17 of the Oklahoma Statutes,

18 h. child stealing for purposes of sexual abuse or sexual
19 exploitation as provided in Section 891 of Title 21 of
20 the Oklahoma Statutes,

21 i. indecent exposure or solicitation of minors as
22 provided in Section 1021 of Title 21 of the Oklahoma
23 Statutes,

24

- 1 j. procuring, producing, distributing or possessing child
2 pornography as provided in Sections 1021.2 and 1024.2
3 of Title 21 of the Oklahoma Statutes,
4 k. parental consent to child pornography as provided in
5 Section 1021.3 of Title 21 of the Oklahoma Statutes,
6 l. aggravated possession of child pornography as provided
7 in Section 1040.12a of Title 21 of the Oklahoma
8 Statutes,
9 m. distributing obscene material or child pornography as
10 provided in Section 1040.13 of Title 21 of the
11 Oklahoma Statutes,
12 n. offering or soliciting sexual conduct with a child as
13 provided in Section 1040.13a of Title 21 of the
14 Oklahoma Statutes,
15 o. procuring a child for ~~prostitution~~ child sex
16 trafficking or other lewd acts as provided in Section
17 1087 of Title 21 of the Oklahoma Statutes,
18 p. inducing a child to engage in ~~prostitution~~ child sex
19 trafficking as provided in Section 1088 of Title 21 of
20 the Oklahoma Statutes, and
21 q. lewd or indecent proposals or acts to a child or
22 sexual battery as provided in Section 1123 of Title 21
23 of the Oklahoma Statutes.
24

1 SECTION 9. AMENDATORY 22 O.S. 2021, Section 126, is
2 amended to read as follows:

3 Section 126. The jurisdiction of an indictment or information:

4 1. For forcibly and without lawful authority seizing and
5 confining another, or inveigling or kidnapping ~~him~~ the person, with
6 intent, against his or her will, to cause ~~him~~ the person to be
7 secretly confined or imprisoned in this state, or to be sent out of
8 the state, or from one county to another; ~~or,~~

9 2. For decoying or taking or enticing away a child under the
10 age of twelve (12) years, with intent to detain and conceal ~~it~~ the
11 child from ~~its~~ his or her parents, guardian, or other person having
12 lawful charge of the child; ~~or,~~

13 3. For the inveigling, enticing, or taking away an unmarried
14 female of previous chaste character, under the age of twenty-one
15 (21) years, for the purpose of prostitution; or,

16 4. For taking away any ~~female child~~ child under the age of ~~sixteen~~
17 ~~(16)~~ eighteen (18) years from his or her father, mother, guardian or
18 other person having the legal charge of his or her person ~~without~~
19 ~~their consent either for the purpose of concubinage or prostitution~~
20 child sex trafficking,

21 ~~Is~~ is in any county in which the offense is committed or into or out
22 of which the person upon whom the offense was committed, may, in the
23 commission of the offense, have been brought or in which an act was
24 done by the defendant in instigating, procuring, promoting, aiding

1 or in being an accessory to the commission of the offense, or in
2 abetting the parties concerned therein.

3 SECTION 10. AMENDATORY 22 O.S. 2021, Section 991h, is
4 amended to read as follows:

5 Section 991h. In addition to the other sentencing powers of the
6 court, when sentencing a person who has been convicted, whether upon
7 a verdict or plea of guilty or nolo contendere, or who has received
8 a suspended sentence or any probationary term for a crime or an
9 attempt to commit a crime provided for in:

10 1. Section 843.5 of Title 21 of the Oklahoma Statutes, if the
11 offense involved sexual abuse or sexual exploitation, as those terms
12 are defined in Section 1-1-105 of Title 10A of the Oklahoma
13 Statutes;

14 2. Section 681 of Title 21 of the Oklahoma Statutes, if the
15 offense involved sexual assault;

16 3. Section 741 of Title 21 of the Oklahoma Statutes, if the
17 offense involved sexual abuse or sexual exploitation;

18 4. Section 748 of Title 21 of the Oklahoma Statutes, if the
19 offense involved human trafficking for commercial sex;

20 5. Section 843.1 of Title 21 of the Oklahoma Statutes, if the
21 offense involved sexual abuse or sexual exploitation;

22 6. Section 852.1 of Title 21 of the Oklahoma Statutes, if the
23 offense involved sexual abuse of a child;

24

1 7. Section 866, 885, 886, 888 or 891 of Title 21 of the
2 Oklahoma Statutes, if the offense involved sexual abuse or sexual
3 exploitation;

4 8. Section 1021, 1021.2, 1021.3, 1024.2 or 1029 of Title 21 of
5 the Oklahoma Statutes, if the offense involved child ~~prostitution~~
6 sex trafficking;

7 9. Section 1040.8 of Title 21 of the Oklahoma Statutes, if the
8 offense involved child pornography; or

9 10. Section 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1,
10 1114 or 1123 of Title 21 of the Oklahoma Statutes,
11 the court shall issue an order that the defendant shall have no
12 contact directly or indirectly with the victim or the family of the
13 victim during the full term of the confinement of the defendant,
14 term of probation, period of deferment or term of confinement and
15 probation of the defendant.

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

18 Section 138. A. Except as otherwise provided by law, every
19 inmate of a state correctional institution shall have their term of
20 imprisonment reduced monthly, based upon the class level to which
21 they are assigned. Earned credits may be subtracted from the total
22 credits accumulated by an inmate, upon recommendation of the
23 institution's disciplinary committee, following due process, and
24 upon approval of the warden or superintendent. Each earned credit

1 is equivalent to one (1) day of incarceration. Lost credits may be
2 restored by the warden or superintendent upon approval of the
3 classification committee. If a maximum and minimum term of
4 imprisonment is imposed, the provisions of this subsection shall
5 apply only to the maximum term. No deductions shall be credited to
6 any inmate serving a sentence of life imprisonment; however, a
7 complete record of the inmate's participation in work, school,
8 vocational training, or other approved program shall be maintained
9 by the Department for consideration by the paroling authority. No
10 earned credit deductions shall be credited or recorded for any
11 inmate serving any sentence for a criminal act which resulted in the
12 death of a police officer, a law enforcement officer, an employee of
13 the Department of Corrections, or an employee of a private prison
14 contractor and the death occurred while the police officer, law
15 enforcement officer, employee of the Department of Corrections, or
16 employee of a private prison contractor was acting within the scope
17 of their employment. No earned credit deductions shall be credited
18 or recorded for any person who is referred to an intermediate
19 revocation facility for violating any of the terms and conditions of
20 probation.

21 B. The Department of Corrections is directed to develop a
22 written policy and procedure whereby inmates shall be assigned to
23 one of four class levels determined by an adjustment review
24 committee of the facility to which the inmate is assigned. The

1 policies and procedures developed by the Department shall include,
2 but not be limited to, written guidelines pertaining to awarding
3 credits for rehabilitation, obtaining job skills and educational
4 enhancement, participation in and completion of alcohol/chemical
5 abuse programs, incentives for inmates to accept work assignments
6 and jobs, work attendance and productivity, conduct record,
7 participation in programs, cooperative general behavior, and
8 appearance. When assigning inmates to a class level, the adjustment
9 review committee shall consider all aspects of the policy and
10 procedure developed by the Department including but not limited to
11 the criteria for awarding credits required by this subsection.

12 C. If an inmate is subject to misconduct, nonperformance or
13 disciplinary action, earned credits may be removed according to the
14 policies and procedures developed by the Department. Earned credits
15 removed for misconduct, nonperformance or disciplinary action may be
16 restored as provided by Department policy, if any.

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

18 a. Class level 1 shall include inmates not eligible to
19 participate in class levels 2 through 4, and shall
20 include, but not be limited to, inmates on escape
21 status.

22 b. Class level 2 shall include an inmate who has been
23 given a work, education, or program assignment, has
24 received a good evaluation for participation in the

1 work, education, or program assignment, and has
2 received a good evaluation for personal hygiene and
3 maintenance of living area.

4 c. Class level 3 shall include an inmate who has been
5 incarcerated at least three (3) months, has received
6 an excellent work, education, or program evaluation,
7 and has received an excellent evaluation for personal
8 hygiene and maintenance of living area.

9 d. Class level 4 shall include an inmate who has been
10 incarcerated at least eight (8) months, has received
11 an outstanding work, education, or program evaluation,
12 and has received an outstanding evaluation for
13 personal hygiene and maintenance of living area.

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

16 Class 1 - 0 Credits per month;

17 Class 2 - 22 Credits per month;

18 Class 3 - 33 Credits per month;

19 Class 4 - 44 Credits per month.

20 b. Class level corresponding credits beginning November
21 1, 2001, for inmates who have ever been convicted as
22 an adult or a youthful offender or adjudicated
23 delinquent as a juvenile for a felony offense
24

1 enumerated in subsection E of this section are as
2 follows:

3 Class 1 - 0 Credits per month;

4 Class 2 - 22 Credits per month;

5 Class 3 - 33 Credits per month;

6 Class 4 - 44 Credits per month.

7 c. Class level corresponding credits beginning November
8 1, 2001, for inmates who have never been convicted as
9 an adult or a youthful offender or adjudicated
10 delinquent as a juvenile for a felony offense
11 enumerated in subsection E of this section are as
12 follows:

13 Class 1 - 0 Credits per month;

14 Class 2 - 22 Credits per month;

15 Class 3 - 45 Credits per month;

16 Class 4 - 60 Credits per month.

17 Each inmate shall receive the above specified monthly credits
18 for the class to which he or she is assigned. In determining the
19 prior criminal history of the inmate, the Department of Corrections
20 shall review criminal history records available through the Oklahoma
21 State Bureau of Investigation, Federal Bureau of Investigation, and
22 National Crime Information Center to determine the reported felony
23 convictions of all inmates. The Department of Corrections shall
24 also review the Office of Juvenile Affairs Juvenile On-line Tracking

1 System for inmates who were adjudicated delinquent or convicted as a
2 youthful offender for a crime that would be an offense enumerated in
3 subsection E of this section.

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

- 7 a. satisfactory participation in the work, education, or
8 program assignment at the standard required for the
9 particular class level,
- 10 b. maintenance of a clean and orderly living area and
11 personal hygiene at the standard required for the
12 particular class level,
- 13 c. cooperative behavior toward facility staff and other
14 inmates, and
- 15 d. satisfactory participation in the requirements of the
16 previous class level.

17 4. The evaluation scale for assessing performance shall be as
18 follows:

- 19 a. Outstanding - For inmates who display consistently
20 exceptional initiative, motivation, and work habits.
- 21 b. Excellent - For inmates who display above-average work
22 habits with only minor errors and rarely perform below
23 expectations.

24

1 c. Good - For inmates who perform in a satisfactory
2 manner and complete tasks as required, doing what is
3 expected, with only occasional performance above or
4 below expectations.

5 d. Fair - For inmates who may perform satisfactorily for
6 some periods of time, but whose performance is marked
7 by obviously deficient and weak areas and could be
8 improved.

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

11 E. No person ever convicted as an adult or a youthful offender
12 or adjudicated delinquent as a juvenile in this state for any felony
13 offense enumerated in this subsection or a similar felony offense
14 pursuant to the provisions of another state, the United States, or a
15 military court shall be eligible for the credits provided by the
16 provisions of subparagraph c of paragraph 2 of subsection D of this
17 section.

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

21 2. Aggravated assault and battery on a police officer, sheriff,
22 highway patrolman, or any other officer of the law as defined by
23 Section 650, subsection C of Section 650.2, 650.5, subsection B of
24

1 Section 650.6, or subsection C of Section 650.7 of Title 21 of the
2 Oklahoma Statutes;

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

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

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

9 6. Assault with intent to commit a felony as defined by Section
10 681 of Title 21 of the Oklahoma Statutes;

11 7. Assaults while masked or disguised as defined by Section
12 1303 of Title 21 of the Oklahoma Statutes;

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

15 9. Murder in the first degree as defined by Section 701.7 of
16 Title 21 of the Oklahoma Statutes;

17 10. Solicitation for Murder in the first degree as defined by
18 Section 701.16 of Title 21 of the Oklahoma Statutes;

19 11. Murder in the second degree as defined by Section 701.8 of
20 Title 21 of the Oklahoma Statutes;

21 12. Manslaughter in the first degree as defined by Section 711,
22 or 712 ~~or 714~~ of Title 21 of the Oklahoma Statutes;

23 13. Manslaughter in the second degree as defined by Section 716
24 or 717 of Title 21 of the Oklahoma Statutes;

1 14. Kidnapping as defined by Section 741 of Title 21 of the
2 Oklahoma Statutes;

3 15. Burglary in the first degree as defined by Section 1431 of
4 Title 21 of the Oklahoma Statutes;

5 16. Burglary with explosives as defined by Section 1441 of
6 Title 21 of the Oklahoma Statutes;

7 17. Kidnapping for extortion as defined by Section 745 of Title
8 21 of the Oklahoma Statutes;

9 18. Maiming as defined by Section 751 of Title 21 of the
10 Oklahoma Statutes;

11 19. Robbery as defined by Section 791 of Title 21 of the
12 Oklahoma Statutes;

13 20. Robbery in the first degree as defined by Section 797 of
14 Title 21 of the Oklahoma Statutes;

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

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

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

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

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

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

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

5 28. Rape in the first degree as defined by Sections 1111 and
6 1114 of Title 21 of the Oklahoma Statutes;

7 29. Rape in the second degree as defined by Sections 1111 and
8 1114 of Title 21 of the Oklahoma Statutes;

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

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

14 32. Sexual battery of a person over 16 as defined by Section
15 1123 of Title 21 of the Oklahoma Statutes;

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

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

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

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

- 1 37. Arson in the first degree as defined by Section 1401 of
2 Title 21 of the Oklahoma Statutes;
- 3 38. Endangering human life during arson as defined by Section
4 1405 of Title 21 of the Oklahoma Statutes;
- 5 39. Injuring or burning public buildings as defined by Section
6 349 of Title 21 of the Oklahoma Statutes;
- 7 40. Sabotage as defined by Section 1262, 1265.4 or 1265.5 of
8 Title 21 of the Oklahoma Statutes;
- 9 41. Extortion as defined by Section 1481 or 1486 of Title 21 of
10 the Oklahoma Statutes;
- 11 42. Obtaining signature by extortion as defined by Section 1485
12 of Title 21 of the Oklahoma Statutes;
- 13 43. Seizure of a bus, discharging firearm or hurling missile at
14 bus as defined by Section 1903 of Title 21 of the Oklahoma Statutes;
- 15 44. Mistreatment of a vulnerable adult as defined by Section
16 843.1 of Title 21 of the Oklahoma Statutes;
- 17 45. Sex offender providing services to a child as defined by
18 Section 404.1 of Title 10 of the Oklahoma Statutes;
- 19 46. A felony offense of domestic abuse as defined by subsection
20 C of Section 644 of Title 21 of the Oklahoma Statutes;
- 21 47. Prisoner placing body fluid on government employee as
22 defined by Section 650.9 of Title 21 of the Oklahoma Statutes;
- 23 48. Poisoning food or water supply as defined by Section 832 of
24 Title 21 of the Oklahoma Statutes;

1 49. Trafficking in children as defined by Section 866 of Title
2 21 of the Oklahoma Statutes;

3 50. Incest as defined by Section 885 of Title 21 of the
4 Oklahoma Statutes;

5 51. Procure, produce, distribute, or possess juvenile
6 pornography as defined by Section 1021.2 of Title 21 of the Oklahoma
7 Statutes;

8 52. Parental consent to juvenile pornography as defined by
9 Section 1021.3 of Title 21 of the Oklahoma Statutes;

10 53. Soliciting minor for indecent exposure as defined by
11 Section 1021 of Title 21 of the Oklahoma Statutes;

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

14 55. Child ~~prostitution~~ sex trafficking as defined by Section
15 1030 of Title 21 of the Oklahoma Statutes;

16 56. Procuring a minor for ~~prostitution~~ child sex trafficking or
17 other lewd acts as defined by Section 1087 of Title 21 of the
18 Oklahoma Statutes;

19 57. Transporting a child under ~~18~~ eighteen (18) years of age
20 for purposes of ~~prostitution~~ child sex trafficking as defined by
21 Section 1087 of Title 21 of the Oklahoma Statutes;

22 58. Inducing a minor to engage in ~~prostitution~~ child sex
23 trafficking as defined by Section 1088 of Title 21 of the Oklahoma
24 Statutes;

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

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

5 61. Advocate overthrow of government by force, commit or
6 attempt to commit acts to overthrow the government, organize or
7 provide assistance to groups to overthrow the government as defined
8 by Section 1266, 1266.4 or 1267.1 of Title 21 of the Oklahoma
9 Statutes;

10 62. Feloniously discharging a firearm as defined by Section
11 1289.17A of Title 21 of the Oklahoma Statutes;

12 63. Possession, use, manufacture, or threat of incendiary
13 device as defined by Section 1767.1 of Title 21 of the Oklahoma
14 Statutes;

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

18 65. Using a motor vehicle to facilitate the discharge of a
19 firearm as defined by Section 652 of Title 21 of the Oklahoma
20 Statutes.

21 F. The policy and procedure developed by the Department of
22 Corrections shall include provisions for adjustment review
23 committees of not less than three members for each such committee.
24 Each committee shall consist of a classification team supervisor who

1 shall act as chairman, the case manager for the inmate being
2 reviewed or classified, a correctional officer or inmate counselor,
3 and not more than two other members, if deemed necessary, determined
4 pursuant to policy and procedure to be appropriate for the specific
5 adjustment review committee or committees to which they are
6 assigned. At least once every four (4) months the adjustment review
7 committee for each inmate shall evaluate the class level status and
8 performance of the inmate and determine whether or not the class
9 level for the inmate should be changed.

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

14 G. Inmates granted medical leaves for treatment that cannot be
15 furnished at the penal institution where incarcerated shall be
16 allowed the time spent on medical leave as time served. Any inmate
17 placed into administrative segregation for nondisciplinary reasons
18 by the institution's administration may be placed in Class 2. The
19 length of any jail term served by an inmate before being transported
20 to a state correctional institution pursuant to a judgment and
21 sentence of incarceration shall be deducted from the term of
22 imprisonment at the state correctional institution. Inmates
23 sentenced to the Department of Corrections and detained in a county
24 jail as a result of the Department's reception scheduling procedure

1 shall be awarded earned credits as provided for in subparagraph b of
2 paragraph 1 of subsection D of this section, beginning on the date
3 of the judgment and sentence, unless the inmate is convicted of a
4 misdemeanor or felony committed in the jail while the inmate is
5 awaiting transport to the Lexington Assessment and Reception Center
6 or other assessment and reception location determined by the
7 Director of the Department of Corrections.

8 H. Additional achievement earned credits for successful
9 completion of departmentally approved programs or for attaining
10 goals or standards set by the Department shall be awarded as
11 follows:

- 12 Bachelor's degree.....200 credits;
- 13 Associate's degree.....100 credits;
- 14 High School Diploma or High School
15 Equivalency Diploma.....90 credits;
- 16 Certification of Completion of
17 Vocational Training.....80 credits;
- 18 Successful completion of
19 Alcohol/Chemical Abuse Treatment
20 Program of not less than four (4)
21 months continuous participation.....70 credits;
- 22 Successful completion of other
23 Educational Accomplishments or

24

1 other programs not specified in
2 this subsection.....10-30 credits;
3 Achievement earned credits are subject to loss and restoration in
4 the same manner as earned credits.

5 I. The accumulated time of every inmate shall be tallied
6 monthly and maintained by the institution where the term of
7 imprisonment is being served. A record of said accumulated time
8 shall be:

9 1. Sent to the administrative office of the Department of
10 Corrections on a quarterly basis; and

11 2. Provided to the inmate.

12 SECTION 12. AMENDATORY 57 O.S. 2021, Section 332.16, is
13 amended to read as follows:

14 Section 332.16 A. No recommendation to the Governor for parole
15 shall remain under consideration and in the possession of that
16 office for a time longer than thirty (30) consecutive calendar days.
17 Except as provided for in subsection B of this section, if upon
18 expiration of the thirty-day time period no action is taken by the
19 Governor to grant or deny parole, the recommendation for parole
20 shall be deemed granted.

21 B. The Governor shall be required to review each parole
22 recommendation and shall grant or deny parole for persons convicted
23 of the following crimes:

24

- 1 1. Assault, battery, or assault and battery with a dangerous or
2 deadly weapon as provided in Sections 645 and 652 of Title 21 of the
3 Oklahoma Statutes;
- 4 2. Aggravated assault and battery on a police officer, sheriff,
5 highway patrolman, or any other officer of the law as provided in
6 Sections 650, 650.2, 650.5, 650.6 and 650.7 of Title 21 of the
7 Oklahoma Statutes;
- 8 3. Poisoning with intent to kill as provided in Section 651 of
9 Title 21 of the Oklahoma Statutes;
- 10 4. Shooting with intent to kill as provided in Section 652 of
11 Title 21 of the Oklahoma Statutes;
- 12 5. Assault with intent to kill as provided in Section 653 of
13 Title 21 of the Oklahoma Statutes;
- 14 6. Assault with intent to commit a felony as provided in
15 Section 681 of Title 21 of the Oklahoma Statutes;
- 16 7. Assaults while masked or disguised as provided in Section
17 1303 of Title 21 of the Oklahoma Statutes;
- 18 8. Murder in the first degree as provided in Section 701.7 of
19 Title 21 of the Oklahoma Statutes;
- 20 9. Murder in the second degree as provided in Section 701.8 of
21 Title 21 of the Oklahoma Statutes;
- 22 10. Manslaughter in the first degree as provided in ~~Sections~~
23 Section 711, or 712 ~~and 714~~ of Title 21 of the Oklahoma Statutes;
24

1 11. Manslaughter in the second degree as provided in Sections
2 716 and 717 of Title 21 of the Oklahoma Statutes;

3 12. Kidnapping as provided in Section 741 of Title 21 of the
4 Oklahoma Statutes;

5 13. Burglary in the first degree as provided in Section 1431 of
6 Title 21 of the Oklahoma Statutes;

7 14. Burglary with explosives as provided in Section 1441 of
8 Title 21 of the Oklahoma Statutes;

9 15. Kidnapping for extortion as provided in Section 745 of
10 Title 21 of the Oklahoma Statutes;

11 16. Maiming as provided in Section 751 of Title 21 of the
12 Oklahoma Statutes;

13 17. Robbery as provided in Section 791 of Title 21 of the
14 Oklahoma Statutes;

15 18. Robbery in the first degree as provided in Section 797 of
16 Title 21 of the Oklahoma Statutes;

17 19. Robbery in the second degree as provided in Section 797 of
18 Title 21 of the Oklahoma Statutes;

19 20. Robbery by two or more persons as provided in Section 800
20 of Title 21 of the Oklahoma Statutes;

21 21. Robbery with dangerous weapon or imitation firearm as
22 provided in Section 801 of Title 21 of the Oklahoma Statutes;

23 22. Child abuse as provided in Section 843.5 of Title 21 of the
24 Oklahoma Statutes;

1 23. Wiring any equipment, vehicle or structure with explosives
2 as provided in Section 849 of Title 21 of the Oklahoma Statutes;

3 24. Forcible sodomy as provided in Section 888 of Title 21 of
4 the Oklahoma Statutes;

5 25. Rape in the first degree as provided in Sections 1111 and
6 1114 of Title 21 of the Oklahoma Statutes;

7 26. Rape in the second degree as provided in Sections 1111 and
8 1114 of Title 21 of the Oklahoma Statutes;

9 27. Rape by instrumentation as provided in Section 1111.1 of
10 Title 21 of the Oklahoma Statutes;

11 28. Lewd or indecent proposition or lewd or indecent act with a
12 child as provided in Section 1123 of Title 21 of the Oklahoma
13 Statutes;

14 29. Use of a firearm or offensive weapon to commit or attempt
15 to commit a felony as provided in Section 1287 of Title 21 of the
16 Oklahoma Statutes;

17 30. Pointing firearms as provided in Section 1289.16 of Title
18 21 of the Oklahoma Statutes;

19 31. Rioting as provided in Sections 1311 and 1321.8 of Title 21
20 of the Oklahoma Statutes;

21 32. Inciting to riot as provided in Section 1320.2 of Title 21
22 of the Oklahoma Statutes;

23 33. Arson in the first degree as provided in Section 1401 of
24 Title 21 of the Oklahoma Statutes;

- 1 34. Injuring or burning public buildings as provided in Section
2 349 of Title 21 of the Oklahoma Statutes;
- 3 35. Sabotage as provided in Sections 1262, 1265.4 and 1265.5 of
4 Title 21 of the Oklahoma Statutes;
- 5 36. Criminal syndicalism as provided in Section 1261 of Title
6 21 of the Oklahoma Statutes;
- 7 37. Extortion as provided in Sections 1481 and 1486 of Title 21
8 of the Oklahoma Statutes;
- 9 38. Obtaining signature by extortion as provided in Section
10 1485 of Title 21 of the Oklahoma Statutes;
- 11 39. Seizure of a bus, discharging firearm or hurling missile at
12 bus as provided in Section 1903 of Title 21 of the Oklahoma
13 Statutes;
- 14 40. Mistreatment of a mental patient as provided in Section
15 843.1 of Title 21 of the Oklahoma Statutes;
- 16 41. Using a vehicle to facilitate the discharge of a weapon as
17 provided in Section 652 of Title 21 of the Oklahoma Statutes;
- 18 42. Aggravated drug trafficking as provided in Section 2-415 of
19 Title 63 of the Oklahoma Statutes;
- 20 43. Racketeering as provided in Section 1403 of Title 22 of the
21 Oklahoma Statutes;
- 22 44. Offenses of public corruption such as bribery of public
23 officials as provided in Section 381 or 382 of Title 21 of the
24 Oklahoma Statutes;

1 45. Embezzlement of public money as provided in Section 1451 et
2 seq. of Title 21 or Section 641 of Title 19 of the Oklahoma
3 Statutes;

4 46. Failure to pay and collect tax as provided in Section 1361
5 or 2385.3 of Title 68 of the Oklahoma Statutes;

6 47. Conspiracy to defraud the state as provided in Section 424
7 of Title 21 of the Oklahoma Statutes;

8 48. Child pornography as provided in Section 1021.2 or 1021.3
9 or defined in Section 1024.1 of Title 21 of the Oklahoma Statutes;

10 49. Child ~~prostitution~~ sex trafficking as defined by Section
11 1030 of Title 21 of the Oklahoma Statutes;

12 50. Abuse of a vulnerable adult as defined in Section 10-103 of
13 Title 43A of the Oklahoma Statutes;

14 51. Terrorism crimes, including biochemical assault as provided
15 in Section 1268 of Title 21 of the Oklahoma Statutes;

16 52. Trafficking of children as provided in Section 865 et seq.
17 of Title 21 of the Oklahoma Statutes; or

18 53. Trafficking of humans as provided in Section 748 et seq. of
19 Title 21 of the Oklahoma Statutes.

20 C. When the Pardon and Parole Board makes a recommendation for
21 a compassionate parole pursuant to subsection B of Section 332.18 of
22 this title, the Board shall forward all relevant documentation to
23 the Governor within four (4) business days of the parole review of
24

1 the inmate. Upon receipt, the Governor shall have four (4) business
2 days to grant or deny the compassionate parole.

3 SECTION 13. AMENDATORY 57 O.S. 2021, Section 571, as
4 amended by Section 2, Chapter 212, O.S.L. 2023 (57 O.S. Supp. 2023,
5 Section 571), is amended to read as follows:

6 Section 571. As used in the Oklahoma Statutes, unless another
7 definition is specified:

8 1. "Capacity" means the actual available bedspace as certified
9 by the State Board of Corrections subject to applicable federal and
10 state laws and the rules and regulations promulgated under such
11 laws; and

12 2. "Violent crime" means any of the following felony offenses
13 and any attempts to commit or conspiracy or solicitation to commit
14 the following crimes:

15 a. assault, battery, or assault and battery with a
16 dangerous or deadly weapon, as provided for in
17 Sections 645 and 652 of Title 21 of the Oklahoma
18 Statutes,

19 b. assault, battery, or assault and battery with a deadly
20 weapon or by other means likely to produce death or
21 great bodily harm, as provided for in Section 652 of
22 Title 21 of the Oklahoma Statutes,

23 c. aggravated assault and battery on a police officer,
24 sheriff, highway patrolman, or any other officer of

1 the law, as provided for in Section 650 of Title 21 of
2 the Oklahoma Statutes,

3 d. poisoning with intent to kill, as provided for in
4 Section 651 of Title 21 of the Oklahoma Statutes,

5 e. shooting with intent to kill, as provided for in
6 Section 652 of Title 21 of the Oklahoma Statutes,

7 f. assault with intent to kill, as provided for in
8 Section 653 of Title 21 of the Oklahoma Statutes,

9 g. assault with intent to commit a felony, as provided
10 for in Section 681 of Title 21 of the Oklahoma
11 Statutes,

12 h. assaults with a dangerous weapon while masked or
13 disguised, as provided for in Section 1303 of Title 21
14 of the Oklahoma Statutes,

15 i. murder in the first degree, as provided for in Section
16 701.7 of Title 21 of the Oklahoma Statutes,

17 j. murder in the second degree, as provided for in
18 Section 701.8 of Title 21 of the Oklahoma Statutes,

19 k. manslaughter in the first degree, as provided for in
20 Section 711 of Title 21 of the Oklahoma Statutes,

21 l. manslaughter in the second degree, as provided for in
22 Section 716 of Title 21 of the Oklahoma Statutes,

23 m. kidnapping, as provided for in Section 741 of Title 21
24 of the Oklahoma Statutes,

- 1 n. burglary in the first degree, as provided for in
2 Section 1431 of Title 21 of the Oklahoma Statutes,
3 o. burglary with explosives, as provided for in Section
4 1441 of Title 21 of the Oklahoma Statutes,
5 p. kidnapping for extortion, as provided for in Section
6 745 of Title 21 of the Oklahoma Statutes,
7 q. maiming, as provided for in Section 751 of Title 21 of
8 the Oklahoma Statutes,
9 r. robbery, as provided for in Section 791 of Title 21 of
10 the Oklahoma Statutes,
11 s. robbery in the first degree, as provided for in
12 Section 797 et seq. of Title 21 of the Oklahoma
13 Statutes,
14 t. robbery in the second degree, as provided for in
15 Section 797 et seq. of Title 21 of the Oklahoma
16 Statutes,
17 u. armed robbery, as provided for in Section 801 of Title
18 21 of the Oklahoma Statutes,
19 v. robbery by two or more persons, as provided for in
20 Section 800 of Title 21 of the Oklahoma Statutes,
21 w. robbery with dangerous weapon or imitation firearm, as
22 provided for in Section 801 of Title 21 of the
23 Oklahoma Statutes,
24

- 1 x. child abuse, as provided for in Section 843.5 of Title
- 2 21 of the Oklahoma Statutes,
- 3 y. wiring any equipment, vehicle or structure with
- 4 explosives, as provided for in Section 849 of Title 21
- 5 of the Oklahoma Statutes,
- 6 z. forcible sodomy, as provided for in Section 888 of
- 7 Title 21 of the Oklahoma Statutes,
- 8 aa. rape in the first degree, as provided for in Section
- 9 1114 of Title 21 of the Oklahoma Statutes,
- 10 bb. rape in the second degree, as provided for in Section
- 11 1114 of Title 21 of the Oklahoma Statutes,
- 12 cc. rape by instrumentation, as provided for in Section
- 13 1111.1 of Title 21 of the Oklahoma Statutes,
- 14 dd. lewd or indecent proposition or lewd or indecent act
- 15 with a child under sixteen (16) years of age, as
- 16 provided for in Section 1123 of Title 21 of the
- 17 Oklahoma Statutes,
- 18 ee. use of a firearm or offensive weapon to commit or
- 19 attempt to commit a felony, as provided for in Section
- 20 1287 of Title 21 of the Oklahoma Statutes,
- 21 ff. pointing firearms, as provided for in Section 1289.16
- 22 of Title 21 of the Oklahoma Statutes,
- 23 gg. rioting, as provided for in Section 1311 of Title 21
- 24 of the Oklahoma Statutes,

- 1 hh. inciting to riot, as provided for in Section 1320.2 of
2 Title 21 of the Oklahoma Statutes,
- 3 ii. arson in the first degree, as provided for in Section
4 1401 of Title 21 of the Oklahoma Statutes,
- 5 jj. injuring or burning public buildings, as provided for
6 in Section 349 of Title 21 of the Oklahoma Statutes,
- 7 kk. sabotage, as provided for in Section 1262 of Title 21
8 of the Oklahoma Statutes,
- 9 ll. criminal syndicalism, as provided for in Section 1261
10 of Title 21 of the Oklahoma Statutes,
- 11 mm. extortion, as provided for in Section 1481 of Title 21
12 of the Oklahoma Statutes,
- 13 nn. obtaining signature by extortion, as provided for in
14 Section 1485 of Title 21 of the Oklahoma Statutes,
- 15 oo. seizure of a bus, discharging firearm or hurling
16 missile at bus, as provided for in Section 1903 of
17 Title 21 of the Oklahoma Statutes,
- 18 pp. mistreatment of a mental patient, as provided for in
19 Section 843.1 of Title 21 of the Oklahoma Statutes,
- 20 qq. using a vehicle to facilitate the discharge of a
21 weapon pursuant to Section 652 of Title 21 of the
22 Oklahoma Statutes,
- 23 rr. bombing offenses as defined in Section 1767.1 of Title
24 21 of the Oklahoma Statutes,

- 1 ss. child pornography or aggravated child pornography as
2 defined in Section 1021.2, 1021.3, 1024.1 or 1040.12a
3 of Title 21 of the Oklahoma Statutes,
4 tt. child ~~prostitution~~ sex trafficking as defined in
5 Section 1030 of Title 21 of the Oklahoma Statutes,
6 uu. abuse of a vulnerable adult as defined in Section 10-
7 103 of Title 43A of the Oklahoma Statutes,
8 vv. aggravated trafficking as provided for in subsection C
9 of Section 2-415 of Title 63 of the Oklahoma Statutes,
10 ww. aggravated assault and battery upon any person
11 defending another person from assault and battery, as
12 provided for in Section 646 of Title 21 of the
13 Oklahoma Statutes,
14 xx. human trafficking, as provided for in Section 748 of
15 Title 21 of the Oklahoma Statutes,
16 yy. terrorism crimes as provided in Section 1268 et seq.
17 of Title 21 of the Oklahoma Statutes,
18 zz. eluding a peace officer, as provided for in subsection
19 B or C of Section 540A of Title 21 of the Oklahoma
20 Statutes, or
21 aaa. domestic abuse by strangulation, domestic assault with
22 a dangerous weapon, domestic assault and battery with
23 a dangerous weapon, domestic assault and battery
24 resulting in great bodily injury, or domestic assault

1 and battery with a deadly weapon, as provided for in
2 Section 644 of Title 21 of the Oklahoma Statutes.

3 Such offenses shall constitute exceptions to nonviolent offenses
4 pursuant to Article VI, Section 10 of the Oklahoma Constitution.

5 SECTION 14. AMENDATORY 57 O.S. 2021, Section 582, is
6 amended to read as follows:

7 Section 582. A. The provisions of the Sex Offenders
8 Registration Act shall apply to any person residing, working or
9 attending school within the State of Oklahoma who, after November 1,
10 1989, has been convicted, whether upon a verdict or plea of guilty
11 or upon a plea of nolo contendere, or received a suspended sentence
12 or any probationary term, or is currently serving a sentence or any
13 form of probation or parole for a crime or an attempt to commit a
14 crime provided for in Section 843.5 of Title 21 of the Oklahoma
15 Statutes if the offense involved sexual abuse or sexual exploitation
16 as those terms are defined in Section 1-1-105 of Title 10A of the
17 Oklahoma Statutes, Section 681, if the offense involved sexual
18 assault, 741, if the offense involved sexual abuse or sexual
19 exploitation, Section 748, if the offense involved human trafficking
20 for commercial sex, Section 843.1, if the offense involved sexual
21 abuse or sexual exploitation, Section 852.1, if the offense involved
22 sexual abuse of a child, 856, if the offense involved child
23 ~~prostitution~~ sex trafficking or human trafficking for commercial
24 sex, 865 et seq., 885, 886, 888, 891, if the offense involved sexual

1 abuse or sexual exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if
2 the offense involved child ~~prostitution~~ sex trafficking, 1040.8, if
3 the offense involved child pornography, 1040.12a, 1040.13, 1040.13a,
4 1087, 1088, 1111.1, 1114 or 1123 of Title 21 of the Oklahoma
5 Statutes.

6 B. The provisions of the Sex Offenders Registration Act shall
7 apply to any person who after November 1, 1989, resides, works or
8 attends school within the State of Oklahoma and who has been
9 convicted or received a suspended sentence at any time in any court
10 of another state, the District of Columbia, Puerto Rico, Guam,
11 American Samoa, the Northern Mariana Islands and the United States
12 Virgin Islands, a federal court, an Indian tribal court, a military
13 court, or a court of a foreign country for a crime, attempted crime
14 or a conspiracy to commit a crime which, if committed or attempted
15 in this state, would be a crime, an attempt to commit a crime or a
16 conspiracy to commit a crime provided for in any of the laws listed
17 in subsection A of this section.

18 C. The provisions of the Sex Offenders Registration Act shall
19 apply to any person who resides, works or attends school within the
20 State of Oklahoma and who has received a deferred judgment at any
21 time in any court of another state, the District of Columbia, Puerto
22 Rico, Guam, American Samoa, the Northern Mariana Islands and the
23 United States Virgin Islands, a federal court, an Indian tribal
24 court, a military court, or a court of a foreign country for a

1 crime, attempted crime or a conspiracy to commit a crime which, if
2 committed or attempted or conspired to be committed in this state,
3 would be a crime, an attempt to commit a crime or a conspiracy to
4 commit a crime provided for in Section 843.5 of Title 21 of the
5 Oklahoma Statutes if the offense involved sexual abuse or sexual
6 exploitation as those terms are defined in Section 1-1-105 of Title
7 10A of the Oklahoma Statutes, Section 681, if the offense involved
8 sexual assault, 741, if the offense involved sexual abuse or sexual
9 exploitation, Section 748, if the offense involved human trafficking
10 for commercial sex, Section 843.1, if the offense involved sexual
11 abuse or sexual exploitation, Section 852.1, if the offense involved
12 sexual abuse of a child, 856, if the offense involved child
13 ~~prostitution~~ sex trafficking or human trafficking for commercial
14 sex, 865 et seq., 885, 886, 888, 891, if the offense involved sexual
15 abuse or sexual exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if
16 the offense involved child ~~prostitution~~ sex trafficking, 1040.8, if
17 the offense involved child pornography, 1040.12a, 1040.13, 1040.13a,
18 1087, 1088, 1111.1, 1114 or 1123 of Title 21 of the Oklahoma
19 Statutes. The provisions of the Sex Offenders Registration Act
20 shall not apply to any such person while the person is incarcerated
21 in a maximum or medium correctional institution of the Department of
22 Corrections.

23 D. On November 1, 2002, any person registered as a sex offender
24 pursuant to Section 741 of Title 21 of the Oklahoma Statutes shall

1 be summarily removed from the Sex Offender Registry by the
2 Department of Corrections and all law enforcement agencies of any
3 political subdivision of this state, unless the offense involved
4 sexual abuse or sexual exploitation.

5 E. The provisions of the Sex Offenders Registration Act shall
6 not apply to any such person who has received a criminal history
7 records expungement for a conviction in another state for a crime or
8 attempted crime which, if committed or attempted in this state,
9 would be a crime or an attempt to commit a crime provided for in any
10 laws listed in subsection A of this section.

11 F. The provisions of the Sex Offenders Registration Act shall
12 apply to any person residing, working or attending school within
13 this state who, after the effective date of this act, has been
14 convicted, whether upon a verdict or plea of guilty or upon a plea
15 of nolo contendere, or received a suspended sentence or any
16 probationary term, or is currently serving a sentence or any form of
17 probation or parole for a crime or an attempt to commit a crime as
18 provided for in subsection G of Section 1040.13b of Title 21 of the
19 Oklahoma Statutes.

20 G. The provisions of the Sex Offenders Registration Act shall
21 apply to any person who resides, works or attends school within this
22 state and who has received a deferred judgment at any time in any
23 court of another state, the District of Columbia, Puerto Rico, Guam,
24 American Samoa, the Northern Mariana Islands and the United States

1 Virgin Islands, a federal court, an Indian tribal court, a military
2 court, or a court of a foreign country for a crime, if committed in
3 this state, would be a crime, as provided for in subsection F of
4 Section 1040.13b of Title 21 of the Oklahoma Statutes. The
5 provisions of the Sex Offenders Registration Act shall not apply to
6 any such person while the person is incarcerated in a maximum or
7 medium correctional institution of the Department of Corrections.

8 SECTION 15. AMENDATORY 74 O.S. 2021, Section 151.1, is
9 amended to read as follows:

10 Section 151.1 A. The Oklahoma State Bureau of Investigation
11 shall establish an Internet Crimes Against Children (ICAC) ~~unit~~ Unit
12 for the primary purpose of investigating Internet crimes committed
13 against children, including, but not limited to, offenses related to
14 child pornography and solicitation of minors for pornography,
15 ~~prostitution or sex-related offenses~~ child sex trafficking. The
16 ~~unit~~ Unit shall additionally promote safe Internet use among
17 children and their parents by various media or printed-material
18 campaigns or by offering educational programs to schools or
19 communities throughout this state. The Bureau shall employ
20 sufficient employees to investigate and implement the ICAC unit.

21 B. The Director of the Oklahoma State Bureau of Investigation
22 is hereby authorized to enter into local cooperative agreements with
23 local law enforcement agencies for the purpose of appointing ICAC
24 Affiliate Task Force Agents to assist the ICAC ~~unit~~ Unit of the

1 Bureau. ICAC Affiliate Task Force Agents shall be employees and
2 commissioned law enforcement officers of the local law enforcement
3 agency entering into agreement with the Oklahoma State Bureau of
4 Investigation and shall not be employees of the Bureau. ICAC
5 Affiliate Task Force Agents shall have general peace officer powers
6 and the authority to arrest persons throughout the state for the
7 purpose of investigating Internet crimes committed against children
8 including, but not limited to, offenses related to child
9 pornography, solicitation of minors for pornography, ~~prostitution~~ or
10 ~~sex-related offenses~~ child sex trafficking. ICAC Affiliate Task
11 Force Agents shall promote safe Internet use among children and
12 parents of children by various media or printed-material campaigns
13 or by offering educational programs to schools or communities
14 throughout Oklahoma. The Director of the Bureau may renew, suspend
15 or revoke any agreement appointing an ICAC Affiliate Task Force
16 Agent at any time. ICAC Affiliate Task Force Agents serve solely at
17 the discretion and will of the Director of the Oklahoma State Bureau
18 of Investigation.

19 SECTION 16. This act shall become effective November 1, 2024.

20
21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
22 02/14/2024 - DO PASS.
23
24