

1 ENGROSSED SENATE  
2 BILL NO. 369

By: Hines of the Senate  
and  
George of the House

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6 An Act relating to assault and battery; amending 21  
7 O.S. 2021, Section 650, which relates to aggravated  
8 assault and battery upon a peace officer; modifying  
9 scope of certain unlawful act; defining term;  
10 updating statutory language; and providing an  
11 effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2021, Section 650, is  
14 amended to read as follows:

15 Section 650. A. Every person who, without justifiable or  
16 excusable cause, knowingly commits any aggravated assault and  
17 battery upon the person of a police officer, sheriff, deputy sheriff  
18 ~~or~~, highway patrolman, corrections personnel as defined in Section  
19 649 of this title, or any state peace officer employed by any state  
20 or federal governmental agency to enforce state laws, while the  
21 officer is in the performance of his or her duties shall, upon  
22 conviction ~~thereof~~, be guilty of a felony, ~~which shall be punishable~~  
23 by imprisonment in the custody of the Department of Corrections for  
24 not more than life ~~or by~~, a fine not exceeding One Thousand Dollars  
(\$1,000.00), or by both such fine and imprisonment.

1 B. Every person who, without justifiable or excusable cause,  
2 commits any aggravated assault and battery upon a person that the  
3 violator knows or should reasonably know is a police officer,  
4 sheriff, deputy sheriff ~~or~~, highway patrolman, corrections personnel  
5 as defined in Section 649 of this title, or any state peace officer  
6 employed by any state or federal governmental agency to enforce  
7 state laws, that results in maiming as defined in Section 751 of  
8 this title, while the officer is in the performance of his or her  
9 duties shall, upon conviction, be guilty of a felony punishable by  
10 imprisonment in the custody of the Department of Corrections ~~of~~ for  
11 not less than five (5) years nor more than life ~~or by~~, a fine not  
12 exceeding Five Thousand Dollars (\$5,000.00), or by both such fine  
13 and imprisonment.

14 C. For purposes of this section, aggravated assault and battery  
15 upon law officers, includes ~~the~~ the:

16 1. The physical contact with and ~~in~~ an attempt to gain control  
17 of the firearm; or

18 2. The strangulation,  
19 of any police officer, sheriff, deputy sheriff, highway patrolman,  
20 corrections personnel as defined in Section 649 of this title, or  
21 any peace officer employed by any state or federal governmental  
22 agency to enforce state laws.

23 As used in this subsection, "strangulation" shall have the same  
24 meaning as provided in subsection J of Section 644 of this title.

