An Act

ENROLLED HOUSE
BILL NO. 1241

By: Martin (Steve) and Biggs of the House

and

Allen and Shortey of the Senate

An Act relating to crimes and punishments; amending 21 O.S. 2011, Section 1401, which relates to arson in the first degree; clarifying scope of certain prohibited act; modifying penalty for certain conviction; and providing an effective date.

SUBJECT: Arson

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1401, is amended to read as follows:

Section 1401. A. Any person who willfully and maliciously sets fire to or burns, or by the use of any explosive device, accelerant, ignition device, heat-producing device or substance ~~or while manufacturing or attempting to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes~~, destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any building or structure or contents thereof, inhabited or occupied by one or more persons, whether the property of that person or another, or who willfully and maliciously sets fire to or burns, or by the use of any explosive device, accelerant, ignition device, heat-producing device or substance ~~or while manufacturing or attempting to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes,~~ causes a person to be burned, or aids,

counsels or procures the burning of a person~~,~~ shall, upon conviction, be guilty of arson in the first degree, which is a felony, and ~~upon conviction thereof~~ shall be punished by a fine not to exceed Twenty-five Thousand Dollars ($25,000.00), or ~~be confined to~~ by imprisonment in the ~~State Penitentiary~~ custody of the Department of Corrections for not more than thirty-five (35) years, or by both such fine and imprisonment.

B. Any person who, while manufacturing, attempting to manufacture or endeavoring to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes, destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any building or contents thereof, inhabited or occupied by one or more persons whether the property of that person or another, or who while manufacturing or attempting to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes causes a person to be burned, or aids, counsels or procures the burning of a person shall, upon conviction, be guilty of arson in the first degree, which is a felony, and shall be punished by a fine not to exceed Twenty-five Thousand Dollars ($25,000.00) and by imprisonment in the custody of the Department of Corrections for not more than thirty-five (35) years.

SECTION 2. This act shall become effective November 1, 2013.

Passed the House of Representatives the 25th day of February, 2013.

Presiding Officer of the House of Representatives

Passed the Senate the 17th day of April, 2013.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 18th day of April, 20 13, at 3:02 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 24th day of April, 20 13, at 2:43 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 24th day of April, 20 13, at 5:00 o'clock P. M.

By: