

1 **SENATE FLOOR VERSION**

2 March 31, 2021

3 ENGROSSED HOUSE  
4 BILL NO. 1674

By: West (Kevin), Roberts  
(Sean), Humphrey, McDugle  
and Steagall of the House

5 and

6 Standridge, Dahm,  
7 Bergstrom, Stephens and  
8 Jett of the Senate

9  
10 An Act relating to crimes and punishments; amending  
11 21 O.S. 2011, Section 1312, which relates to  
12 penalties for rioting; updating language; making  
13 certain acts unlawful; providing penalties; providing  
14 liability provision for certain damages; defining  
15 term; providing exemption from criminal or civil  
16 liability for motor vehicle operators under certain  
17 circumstances; providing penalties for certain  
18 organizations; providing for codification; and  
19 providing an effective date.

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

21 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1312, is  
22 amended to read as follows:

23 Section 1312. Every person guilty of participating in any riot  
24 is punishable as follows:

1. If any murder, maiming, robbery, rape or arson was committed  
in the course of such riot, such person is punishable in the same  
manner as a principal in such crime;

1           2. If the purpose of the riotous assembly was to resist the  
2 execution of any statute of this state or of the United States, or  
3 to obstruct any public officer of this state or of the United  
4 States, in the performance of any legal duty, or in serving or  
5 executing any legal process, such person shall, upon conviction, be  
6 guilty of a felony punishable by imprisonment in the ~~State~~  
7 Penitentiary custody of the Department of Corrections for a term not  
8 exceeding ten (10) years and not less than two (2) years;

9           3. If such person carried at the time of such riot any species  
10 of firearms, or other deadly or dangerous weapon, or was disguised,  
11 such person shall, upon conviction, be guilty of a felony punishable  
12 by imprisonment in the ~~State Penitentiary~~ custody of the Department  
13 of Corrections for a term not exceeding ten (10) years and not less  
14 than two (2) years;

15           4. If such person directed, advised, encouraged or solicited  
16 other persons, who participated in the riot to acts of force or  
17 violence, such person shall, upon conviction, be guilty of a felony  
18 punishable by imprisonment in the ~~State Penitentiary~~ custody of the  
19 Department of Corrections for a term not exceeding twenty (20) years  
20 and not less than two (2) years; or

21           5. Every person who shall unlawfully obstruct the normal use of  
22 any public street, highway or road within this state by impeding,  
23 hindering or restraining motor vehicle traffic or passage thereon,  
24 by standing or approaching motor vehicles thereon, or by endangering

1 the safe movement of motor vehicles or pedestrians traveling thereon  
2 shall, upon conviction, be guilty of a misdemeanor punishable by  
3 imprisonment in the county jail for a term not exceeding one (1)  
4 year, or by a fine of not less than One Hundred Dollars (\$100.00)  
5 and not exceeding Five Thousand Dollars (\$5,000.00), or by both such  
6 fine and imprisonment. In addition, the person shall be liable for  
7 all damages to person or property by reason of the same. As used in  
8 this paragraph, "obstruct" means to render impassable or to render  
9 passage unreasonably inconvenient or hazardous.

10 In all other cases such person is punishable as for a  
11 misdemeanor.

12 SECTION 2. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 1320.11 of Title 21, unless  
14 there is created a duplication in numbering, reads as follows:

15 A motor vehicle operator who unintentionally causes injury or  
16 death to an individual shall not be criminally or civilly liable for  
17 the injury or death, if:

18 1. The injury or death of the individual occurred while the  
19 motor vehicle operator was fleeing from a riot, as defined in  
20 Section 1311 of Title 21 of the Oklahoma Statutes, under a  
21 reasonable belief that fleeing was necessary to protect the motor  
22 vehicle operator from serious injury or death; and

23 2. The motor vehicle operator exercised due care at the time of  
24 the death or injury.

1 SECTION 3. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1320.12 of Title 21, unless  
3 there is created a duplication in numbering, reads as follows:

4 If an organization is found to be a conspirator with persons who  
5 are found to have committed any of the crimes described in Sections  
6 1311 through 1320.5 and 1320.10 of Title 21 of the Oklahoma  
7 Statutes, the conspiring organization shall be punished by a fine  
8 that is ten times the amount of said fine authorized by the  
9 appropriate provision.

10 SECTION 4. This act shall become effective November 1, 2021.

11 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
12 March 31, 2021 - DO PASS  
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