

1 ENGROSSED HOUSE  
2 BILL NO. 1674

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

3  
4 and

5 Standridge of the Senate  
6

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2011, Section 1312, which relates to  
9 penalties for rioting; updating language; making  
10 certain acts unlawful; providing penalties; providing  
11 liability provision for certain damages; defining  
12 term; providing exemption from criminal or civil  
13 liability for motor vehicle operators under certain  
14 circumstances; providing penalties for certain  
15 organizations; providing for codification; and  
16 providing an effective date.

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

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

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

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

2. If the purpose of the riotous assembly was to resist the  
execution of any statute of this state or of the United States, or  
to obstruct any public officer of this state or of the United

1 States, in the performance of any legal duty, or in serving or  
2 executing any legal process, such person shall, upon conviction, be  
3 guilty of a felony punishable by imprisonment in the ~~State~~  
4 Penitentiary custody of the Department of Corrections for a term not  
5 exceeding ten (10) years and not less than two (2) years;

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

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

18 5. Every person who shall unlawfully obstruct the normal use of  
19 any public street, highway or road within this state by impeding,  
20 hindering or restraining motor vehicle traffic or passage thereon,  
21 by standing or approaching motor vehicles thereon, or by endangering  
22 the safe movement of motor vehicles or pedestrians traveling thereon  
23 shall, upon conviction, be guilty of a misdemeanor punishable by  
24 imprisonment in the county jail for a term not exceeding one (1)

1 year, or by a fine of not less than One Hundred Dollars (\$100.00)  
2 and not exceeding Five Thousand Dollars (\$5,000.00), or by both such  
3 fine and imprisonment. In addition, the person shall be liable for  
4 all damages to person or property by reason of the same. As used in  
5 this paragraph, "obstruct" means to render impassable or to render  
6 passage unreasonably inconvenient or hazardous.

7 In all other cases such person is punishable as for a  
8 misdemeanor.

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

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

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

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

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

1 If an organization is found to be a conspirator with persons who  
2 are found to have committed any of the crimes described in Sections  
3 1311 through 1320.5 and 1320.10 of Title 21 of the Oklahoma  
4 Statutes, the conspiring organization shall be punished by a fine  
5 that is ten times the amount of said fine authorized by the  
6 appropriate provision.

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

8 Passed the House of Representatives the 9th day of March, 2021.

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Presiding Officer of the House  
of Representatives

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Passed the Senate the \_\_\_ day of \_\_\_\_\_, 2021.

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Presiding Officer of the Senate

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