

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1910

By: Jordan

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9 COMMITTEE SUBSTITUTE

10 An Act relating to crimes and punishments; amending
11 21 O.S. 2011, Section 53, which relates to attempts
12 to conceal the birth or death of a child; making
 certain acts unlawful; providing penalty; and
 providing an effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2011, Section 53, is
17 amended to read as follows:

18 Section 53. A. Every parent who attempts to intentionally
19 conceal the existence of a child and maliciously deprives the other
20 parent of a right to custody or a right to visitation through the
21 denial of the existence of the child shall, upon conviction, be
22 guilty of a misdemeanor punishable by imprisonment in the county
23 jail for a term not exceeding one (1) year, or by a fine not
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1 exceeding Five Hundred Dollars (\$500.00), or by both such fine and
2 imprisonment.

3 B. Every ~~woman~~ person who, having been convicted of endeavoring
4 to conceal the birth of ~~an issue of her body~~ a child, which, ~~if born~~
5 ~~alive, would be a bastard,~~ or the death of any such ~~issue~~ child
6 under the age of two (2) years, subsequently to such conviction
7 endeavors to conceal any such birth or death of ~~issue of her body,~~ a
8 child shall, upon conviction, be guilty of a felony punishable by
9 imprisonment in the ~~State Penitentiary~~ custody of the Department of
10 Corrections for a term not exceeding five (5) years and not less
11 than two (2) years.

12 C. In any proceeding regarding a violation of this section, the
13 defendant shall have the right to claim the affirmative defense of
14 "self-defense" or "defense of others" by providing evidence of
15 domestic abuse, as such term is defined in Section 644 of this
16 title, or sexual abuse, as such term is defined in Section 843.5 of
17 this title.

18 SECTION 2. This act shall become effective November 1, 2015.

20 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
21 dated 02/18/2015 - DO PASS, As Amended.