

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2464

By: Lowe (Dick)

4
5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2011, Section 1312, which relates to criminal
9 penalties for participating in riots; updating
10 language; making certain act unlawful; providing
11 penalty; providing exemption from civil or criminal
12 liability for motor vehicle operators under certain
13 circumstances; providing for codification; and
14 providing an effective date.

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

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

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

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

23 2. If the purpose of the riotous assembly was to resist the
24 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
States, in the performance of any legal duty, or in serving or

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

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

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

17 5. If such person intentionally obstructs traffic, such person
18 shall, upon conviction, be guilty of a felony punishable by
19 imprisonment in the custody of the Department of Corrections for a
20 term not exceeding five (5) years and not less than one (1) year.

21 In all other cases such person is punishable as for a
22 misdemeanor.
23
24

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

4 If a person attempts to flee in a motor vehicle from an unlawful
5 riot or unlawful assembly, such person shall not be criminally or
6 civilly liable for any deaths or injuries to any individual
7 participating in the unlawful riot or unlawful assemblage that may
8 result if the person reasonably believed he or she or any occupant
9 of the motor vehicle was in danger.

10 SECTION 3. This act shall become effective November 1, 2021.

11

12 58-1-6584 GRS 01/10/21

13

14

15

16

17

18

19

20

21

22

23

24