

1 ENGROSSED SENATE
2 BILL NO. 1925

By: Sykes of the Senate

3 and

4 Christian of the House

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6
7 [crimes and punishments - disaster areas and
8 penalties - creating Rescue Operations In A
9 Disaster Area Act - recodification -
10 emergency]

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

14 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1209, is
15 amended to read as follows:

16 Section 1209. A. Sections 1209, 1210, 1211, 1212 and 1213 of
17 this title shall be known and may be cited as the "Rescue Operations
18 In A Disaster Area Act".

19 B. The purpose of this act is to prevent looters, sightseers,
20 thrill-seekers, souvenir hunters and other unauthorized persons from
21 hampering the work of rescue operations in a disaster area.

22 C. In the absence of any other emergency declaration as
23 authorized by law, a disaster area within an incorporated
24 municipality may be declared by the local chief of police and within

1 an unincorporated area such disaster area may be declared by the
2 county sheriff. Any declaration made pursuant to the provisions of
3 this act shall not exceed a period of forty-eight (48) hours.

4 SECTION 2. AMENDATORY 21 O.S. 2001, Section 1210, as
5 amended by Section 57, Chapter 329, O.S.L. 2003 (21 O.S. Supp. 2009,
6 Section 1210), is amended to read as follows:

7 Section 1210. Definitions.

8 ~~For the purpose of, and when As~~ used in this the Rescue
9 Operations In A Disaster Area act:

10 1. ~~The term "disaster~~ Disaster area" means the scene or location
11 of a natural or military disaster, an explosion, an aircraft
12 accident, a fire, a railroad accident ~~and~~ or a major traffic
13 accident, as declared by the chief of police or county sheriff
14 pursuant to the provisions of Section 1 of this act.

15 2. ~~The term "authorized~~ Authorized person" ~~shall include~~ means
16 all state, county and municipal police and fire personnel; hospital
17 and ambulance crews; National Guard and Emergency Management
18 personnel ordered into the disaster area by proper authority;
19 federal civil and military personnel on official business; persons
20 who enter the disaster area to maintain or restore facilities for
21 the provision of water, electricity, communications, or
22 transportation to the public; railroad officials restoring rail
23 service; and such other officials as have a valid reason to enter
24 ~~said~~ the disaster area.

1 SECTION 3. AMENDATORY 21 O.S. 2001, Section 1211, is
2 amended to read as follows:

3 Section 1211. A. It shall be unlawful for the driver of any
4 vehicle other than one on official business to follow any emergency
5 vehicle or to purposely drive to any location on or near a highway
6 where a disaster area exists.

7 B. Authorized persons in or near a disaster area may detain any
8 person in a vehicle or otherwise and such person shall be required
9 to stop, provide proof of identification and obey the authorized
10 person's directions or obtain permission before proceeding into the
11 disaster area.

12 SECTION 4. AMENDATORY 21 O.S. 2001, Section 1213, is
13 amended to read as follows:

14 Section 1213. ~~(a)~~ A. It is a misdemeanor for any person to
15 violate any of the provisions of ~~this act~~ the Rescue Operations In A
16 Disaster Area Act, Section 1209 et seq. of this title.

17 ~~(b)~~ B. Every person convicted of a misdemeanor for violating
18 any provision of ~~this act~~ Section 1209 et seq. of this title shall
19 be punished by a fine of not less than Twenty Dollars (\$20.00) nor
20 more than One Hundred Dollars (\$100.00) or by imprisonment for not
21 more than ten (10) days.

22 C. Any person convicted of a violation of this act and whose
23 actions result in the injury of any authorized person as defined by
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1 Section 1210 of this title may be punished pursuant to the
2 provisions of Section 647 or 649 of this title.

3 SECTION 5. RECODIFICATION Section 6 Chapter 275, O.S.L.
4 2004 (21 O.S. Supp. 2009, Section 1211.1), shall be recodified as
5 Section 1214.1 of Title 21 of the Oklahoma Statutes, unless there is
6 created a duplication in numbering.

7 SECTION 6. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

11 Passed the Senate the 1st day of March, 2010.

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Presiding Officer of the Senate

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15 Passed the House of Representatives the ____ day of _____,
16 2010.

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Presiding Officer of the House
of Representatives

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