

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 HOUSE BILL 1934

 By: Manger

7 AS INTRODUCED

8 An Act relating to criminal procedure; amending 22
9 O.S. 2011, Section 231, which relates to misdemeanor
10 arrest warrants; updating language; providing time
11 limitations on effectiveness of misdemeanor warrants;
12 requiring inclusion of expiration dates on
13 misdemeanor warrants; making time limitation
14 requirements for outstanding misdemeanor warrants
15 retroactive; and providing an effective date.

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

17 SECTION 1. AMENDATORY 22 O.S. 2011, Section 231, is
18 amended to read as follows:

19 Section 231. A. In all misdemeanor cases, before a warrant
20 shall ~~issue~~ be issued for the arrest of the defendant, the complaint
21 must be submitted to the district attorney, or drawn by ~~him~~ the
22 district attorney and ~~indorsed~~ endorsed as follows: "I have
23 examined the facts in this case and recommend that a warrant do
24 issue", and then filed with the court. If the action ~~be~~ is brought
 without such endorsement the complaining witness must file with the
 court a bond to be approved by the court in a sum not less than

1 Fifty Dollars (\$50.00), conditioned to pay all costs, and the county
2 shall in no event be liable for any costs incurred in that action,
3 unless the complaint be first so endorsed by the district attorney.

4 B. A misdemeanor warrant shall not be effective for an amount
5 of time greater than the statute of limitations for the underlying
6 crime pursuant to Section 152 of this title. Every misdemeanor
7 warrant that is issued shall include a date of expiration; provided,
8 the date of expiration shall be no longer than three (3) years after
9 the date of issuance, after which point the misdemeanor warrant
10 shall no longer be valid. This provision shall be retroactively
11 applied to all outstanding misdemeanor warrants.

12 SECTION 2. This act shall become effective November 1, 2019.

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14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/20/2019 - DO
15 PASS.

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