

1 **SENATE FLOOR VERSION**

2 February 27, 2024

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1835

6 By: Gollihare

7 An Act relating to postconviction relief; authorizing
8 motion to vacate judgment of conviction under certain
9 circumstances; granting jurisdiction to consider
10 certain motion; providing for codification; and
11 declaring an emergency.

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 1381 of Title 22, unless there
15 is created a duplication in numbering, reads as follows:

16 Notwithstanding any other provision of law concerning
17 postconviction relief, a district attorney in the jurisdiction in
18 which a person was convicted of an offense may file a motion in the
19 district court to vacate or set aside a judgment of conviction at
20 any time if clear and convincing evidence exists establishing that
21 the defendant was convicted of an offense that the defendant did not
22 commit. The district court shall have jurisdiction and authority to
23 consider, hear, and decide the motion.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
6 February 27, 2024 - DO PASS AS AMENDED BY CS
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