An Act

ENROLLED SENATE
BILL NO. 1600

By: Barrington of the Senate

and

Billy and Biggs of the House

An Act relating to arrest without warrant; amending 22 O.S. 2011, Section 196, which relates to arrest without a warrant by a peace officer; and modifying where an officer may make certain arrests.

SUBJECT: Warrantless arrest

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

SECTION 1. AMENDATORY 22 O.S. 2011, Section 196, is amended to read as follows:

Section 196. A peace officer may, without a warrant, arrest a person:

1. For a public offense, committed or attempted in the officer's presence;

2. When the person arrested has committed a felony, although not in the officer's presence;

3. When a felony has in fact been committed, and the officer has reasonable cause to believe the person arrested to have committed it;

4. On a charge, made upon reasonable cause, of the commission of a felony by the party arrested;

5. When the officer has probable cause to believe that the party was driving or in actual physical control of a motor vehicle involved in an accident within this state, whether upon ~~the~~ public roads, highways, streets ~~or~~, turnpikes, other public places, or upon any private road, street, alley or lane which provides access to one or more single- or multi-family dwellings and was under the influence of alcohol or intoxicating liquor or who was under the influence of any substance included in the Uniform Controlled Dangerous Substances Act~~, Sections 2-101 et seq. of Title 63 of the Oklahoma Statutes~~;

6. Anywhere, including a place of residence of the person, if the peace officer has probable cause to believe the person within the preceding seventy-two (72) hours has committed an act of domestic abuse as defined by Section 60.1 of this title, although the assault did not take place in the presence of the peace officer. A peace officer may not arrest a person pursuant to this section without first observing a recent physical injury to, or an impairment of the physical condition of, the alleged victim;

7. When a peace officer, in accordance with the provisions of Section 60.9 of this title, is acting on a violation of a protective order offense; or

8. When the officer has probable cause to believe that the person has threatened another person as defined in subsection B of Section ~~14~~ 1378 of ~~this act~~ Title 21 of the Oklahoma Statutes.

Passed the Senate the 26th day of February, 2014.

Presiding Officer of the Senate

Passed the House of Representatives the 22nd day of April, 2014.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 23rd

day of April, 20 14, at 3:59 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 29th

day of April, 20 14, at 11:30 o'clock A M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 29th

day of April, 20 14, at 12:00 o'clock P. M.

By: