

An Act

ENROLLED HOUSE
BILL NO. 2472

By: Peterson, Sherrer and
Hoskin of the House

and

Treat and Brooks of the
Senate

An Act relating to criminal procedure; granting district attorneys discretion to file misdemeanor charges under certain circumstances; providing for codification; and providing an effective date.

SUBJECT: District attorneys discretion

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 234 of Title 22, unless there is created a duplication in numbering, reads as follows:

When determining the appropriate charge for a person accused of committing a criminal offense, the district attorney shall have the discretion to file the charge as a misdemeanor offense rather than a felony offense after considering the following factors:

1. The criminal offense for which the person has been arrested is not listed as a criminal offense in Section 13.1 of Title 21 of the Oklahoma Statutes;
2. The nature of the criminal offense;
3. The age, background and criminal history of the person who committed the criminal offense;

4. The character and rehabilitation needs of the person who committed the criminal offense; and

5. Whether it is in the best interests of justice to file the charge as a misdemeanor offense rather than a felony offense.

SECTION 2. This act shall become effective November 1, 2016.

Passed the House of Representatives the 7th day of March, 2016.


Presiding Officer of the House
of Representatives

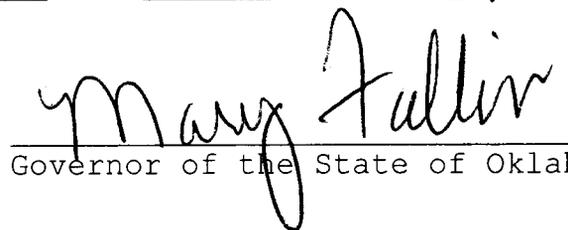
Passed the Senate the 20th day of April, 2016.


Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 21st
day of April, 2016, at 4:49 o'clock P M.
By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 27th
day of April, 2016, at 2:41 o'clock P M.


Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 27th
day of April, 2016, at 3:00 o'clock P. M.
By: Ed Wallace