

ENGROSSED HOUSE  
BILL NO. 1965

BY: BOYD, COMBS and WIDENER  
of the HOUSE

and

EASLEY of the SENATE

AN ACT RELATING TO CRIMINAL PROCEDURE; AMENDING 22  
O.S. 1991, SECTION 1175.1, WHICH RELATES TO  
DEFINITIONS FOR COMPETENCY HEARINGS; MODIFYING  
CERTAIN DEFINITIONS; ELIMINATING PHYSICAL  
DISABILITY AS REASON FOR INCOMPETENCY; AND  
PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 22 O.S. 1991, Section 1175.1, is  
amended to read as follows:

Section 1175.1 As used in this act:

1. "Competent" or "competency" means the present ability of a  
person arrested for or charged with a crime to understand the nature  
of the charges and proceedings brought against him, and ~~is able to~~  
effectively and rationally assist in his defense. ~~A person may be~~  
~~incompetent due to physical disability;~~

2. "Incompetent" or "incompetency" means ~~any person who is not~~  
~~presently competent~~ the present inability of a person arrested for  
or charged with a crime to understand the nature of the charges and

proceedings brought against him and to effectively and rationally assist in his defense;

3. "Criminal proceeding" means every stage of a criminal prosecution after arrest and before judgment, including, but not limited to, interrogation, lineup, preliminary hearing, motion dockets, discovery, pretrial hearings and trial; and

4. "Doctor" means any physician, psychiatrist, psychologist or equivalent expert; ~~and~~

~~5. "Physical disability" means deafness, muteness, blindness or some combination thereof.~~

SECTION 2. This act shall become effective September 1, 1992.

Passed the House of Representatives the 3rd day of March, 1992.

Speaker of the House of  
Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 1992.

President of the Senate