

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1521

By: Fields

COMMITTEE SUBSTITUTE

An Act relating to criminal procedure; requiring peace officers to seize certain property under certain conditions; providing for certain procedures; providing exceptions; providing for codification; and providing an effective date.

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 991a-11a of Title 22, unless there is created a duplication in numbering, reads as follows:

A. Each peace officer of this state shall seize any weapon or instrument used to commit an act of domestic abuse as defined by Section 60.1 of Title 22 of the Oklahoma Statutes.

B. Each peace officer of this state shall seize property subject to forfeiture pursuant to this section when:

1. The seizure is incident to arrest or search warrant; or

2. Probable cause exists to believe that the property has been used in violation of the laws of this state.

C. Notice of seizure and intended forfeiture proceedings shall be filed in accordance with the provisions of Section 991a-11 of this title. Provided, however, no weapons or monies from the sale of seized weapons shall be turned over to the person from whom such weapons were seized.

SECTION 2. This act shall become effective September 1, 1993.

44-1-6644

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