

ENGROSSED SENATE
BILL NO. 1006

By: Gustafson and Horner of the
Senate

and

Vaughn of the House

An Act relating to criminal procedure; amending 22
O.S. 1991, Section 18, as amended by Section 1,
Chapter 151, O.S.L. 1992 (22 O.S. Supp. 1995,
Section 18), which relates to expungement of
records; expanding period for dismissal of charges;
and declaring an emergency.

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

SECTION 1. AMENDATORY 22 O.S. 1991, Section 18, as
amended by Section 1, Chapter 151, O.S.L. 1992 (22 O.S. Supp. 1995,
Section 18), is amended to read as follows:

Section 18. Persons authorized to file a motion for
expungement, as provided herein, must be within one of the following
categories:

1. The person has been acquitted;
2. The person was arrested and no charges are filed ~~on~~;
3. The person was arrested and charges are dismissed within ~~one~~
~~(1) year~~ three (3) years of the arrest;

~~3.~~ 4. The statute of limitations on the offense had expired and
no charges were filed; or

4. 5. The person was under eighteen (18) years of age at the time the offense was committed and the person has received a full pardon for the offense.

For purposes of this ~~act~~ section, "expungement" shall mean the sealing of criminal records.

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

Passed the Senate the 29th day of February, 1996.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1996.

Speaker of the House of Representatives