

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1319

By: Voskuhl

AS INTRODUCED

An Act relating to domestic abuse; amending 22 O.S. 1991, Section 1105, which relates to bail; setting time for admitting bail for certain persons arrested for domestic abuse; 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 60.13 of Title 22, unless there is created a duplication in numbering, reads as follows:

A person arrested for committing an act of domestic abuse, as defined in Section 60.1 of Title 22 of the Oklahoma Statutes, or arrested for violating an ex parte or final protective order, as provided in Sections 60.2 and 60.3 of Title 22 of the Oklahoma Statutes, whether arrested with or without a warrant as provided in Section 40.3 or 60.9 of Title 22 of the Oklahoma Statutes, shall not be admitted to bail sooner than twenty (20) hours after his arrest.

SECTION 2. AMENDATORY 22 O.S. 1991, Section 1105, is amended to read as follows:

Section 1105. ~~Upon~~ A. Except as otherwise provided by this section, upon the allowance of bail and the execution of the requisite recognizance, bond or undertaking, to the state, the

magistrate, judge or court, ~~must~~ shall, if the defendant is in custody, make and sign an order for his discharge, upon the delivery of which to the proper officer the defendant must be discharged.

B. Any person arrested for committing an act of domestic abuse, as defined in Section 60.1 of this title, or any person arrested for violating an ex parte or final protective order, as provided in Sections 60.2 and 60.3 of this title, whether arrested with or without a warrant, shall not be admitted to bail sooner than twenty (20) hours after his arrest.

SECTION 3. This act shall become effective November 1, 1995.

45-1-5746

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