
STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1512

By: Key

AS INTRODUCED

An Act relating to criminal procedure; providing sentencing procedure; allowing juries to have access to certain information prior to sentencing; 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 926.1 of Title 22, unless there is created a duplication in numbering, reads as follows:

A. Upon conviction or adjudication of guilt of a defendant, the court shall conduct a separate sentencing proceeding to determine the defendant's sentence. The proceeding shall be conducted by the trial judge before the same trial jury as soon as practicable.

B. If the jury trial has been waived by the defendant and the state, or if the defendant pleaded guilty or nolo contendere, the sentencing proceeding shall be conducted before the court.

C. In the sentencing proceeding, the jury, or the court if sentencing is imposed by the court, shall have access to evidence of other crimes, the presentence investigation provided for in Section 982 of Title 22 of the Oklahoma Statutes if one is available, and

any victim impact statements provided for in Section 984 of Title 22 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 1995.

45-1-5956

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