

SHORT TITLE: Criminal procedure; expungement of records; emergency.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 1006

By: Gustafson

AS INTRODUCED

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.

45-2-2051

NP