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SHORT TITLE: Criminal procedure; authorizing the district court to create a drug court; codification; emergency.

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1996)

SENATE BILL NO. 1200

By: Wilkerson

AS INTRODUCED

An Act relating to criminal procedure; authorizing the district court to create a drug court; stating purpose; providing for funding; providing for codification; and declaring an emergency.

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

Drug courts may be established in the district courts of this state. For purposes of this section, "drug court" means a special judicial processing and handling of drug offenders and cases within the existing powers of the court.

The purpose of a drug court shall be to divert offenders from criminal prosecution through a deferred prosecution agreement to drug treatment, or upon adjudication of guilt, and in conjunction with conditions of a deferred or suspended sentence, to order drug treatment as one of the conditions of the sentence.

The court may hold progress hearings and monitor the treatment of any person placed in drug court. A drug court shall be designed and operated under the guidance of a single district judge in each district.

Funding for the operation of drug courts shall be obtained by special grants from the Department of Corrections through the Community Service Sentencing Program, Section 991a-4 of Title 22 of the Oklahoma Statutes; provided, the program is administered by the Department. For community corrections programs that are not administered by the Department, funding for drug courts shall be obtained from the Administrative Office of the Courts.

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.

45-2-2186

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