

SHORT TITLE: Victims; Victim's Rights Act; removing felony  
limitation in certain civil action; effective date.

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

SENATE BILL NO. 398

By: Douglass

AS INTRODUCED

An Act relating to victims; amending Sections 3 and 4, Chapter 325, O.S.L. 1993, (21 O.S. Supp. 1994, Sections 142A and 142B), which relate to the Victim's Rights Act and authority for attorney fees in certain civil action; modifying language and reference; removing felony limitation in certain civil action; and providing an effective date.

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

SECTION 1. AMENDATORY Section 3, Chapter 325, O.S.L. 1993 (21 O.S. Supp. 1994, Section 142A), is amended to read as follows:

Section 142A. Sections ~~3~~ 142A and ~~4~~ 142B of this ~~act~~ title shall be known and may be cited as the "Victim's Rights Act".

SECTION 2. AMENDATORY Section 4, Chapter 325, O.S.L. 1993 (21 O.S. Supp. 1994, Section 142B), is amended to read as follows:

Section 142B. In any civil action for damages by a victim of a ~~felony~~ crime against the offender, the court may award a victim who prevails in said civil action reasonable attorney's fees and other costs of litigation, provided there has been a ~~felony~~ conviction of the defendant for the crime which caused the damage and the claim in the civil action was an uninsured claim. The court granting judgment in ~~such~~ a civil action may reduce or limit the hardship

exemption from garnishment provided in Section 1.1 of Title 31 of the Oklahoma Statutes, when ~~such~~ the action would be in the interests of justice.

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

45-1-0377

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