

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1589

By: Vaughn

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 567, as amended by Section 1, Chapter 73, O.S.L. 1993 (21 O.S. Supp. 1996, Section 5670), which relates to indirect contempts; providing that in an indirect contempt proceeding the party alleging the indirect contempt shall not be required to attend certain proceedings; providing exception; providing for notice of trial date to be sent upon request; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 567, as amended by Section 1, Chapter 73, O.S.L. 1993 (21 O.S. Supp. 1996, Section 567), is amended to read as follows:

Section 567. A. In all cases of indirect contempt the party charged with contempt shall be notified in writing of the accusation and have a reasonable time for defense; and the party so charged shall, upon demand, have a trial by jury.

B. In the event the party so charged shall demand a trial by jury, the court shall thereupon set the case for trial at the next

jury term of said court, unless such time is waived by the party so charged, in which event the case shall be set for trial at a time determined by the court. The court shall fix the amount of an appearance bond to be posted by said party charged, which bond shall be signed by said party and two sureties, which sureties together shall qualify by showing ownership of real property, the equal of which property shall be in double the amount of the bond, or, in the alternative, the party charged may deposit with the court clerk cash equal to the amount of the appearance bond.

C. In a case of indirect contempt, it shall not be necessary for the party alleging indirect contempt, or an attorney for that party, to attend an initial appearance or arraignment hearing for the party charged with contempt, unless the party alleging the indirect contempt is seeking a cash bond. If a cash bond is not being requested, the clerk of the court shall, upon request, notify the party alleging the indirect contempt of the date of the trial.

SECTION 2. This act shall become effective November 1, 1997.

46-1-6386

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