

SHORT TITLE: Pardons; authorizing expungement for full pardon;
emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 490

By: Martin

AS INTRODUCED

An Act relating to criminal records; amending 22 O.S. 1991, Section 18, as amended by Section 1, Chapter 151, O.S.L. 1992 (22 O.S. Supp. 1996, Section 18), which relates to expungement of certain criminal records; authorizing expungement of record for full pardon; 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. 1996, Section 18), is amended to read as follows;

Section 18. A. 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 or charges are dismissed within one (1) year of the arrest;
3. The statute of limitations on the offense had expired and no charges were filed; or
4. 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.

B. 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.

46-1-0501

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