

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 775

By: Dunlap of the Senate

and

Wilt of the House

AS INTRODUCED

An Act relating to criminal procedure; amending 22 O.S. 1991, Section 1077, which relates to bail allowable upon appeal from a criminal conviction; prohibiting bail on appeal after conviction of sexual abuse of child; and providing an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 1991, Section 1077, is amended to read as follows:

Section 1077. Bail on appeal shall be allowed on appeal from a judgment of conviction of misdemeanor, or in felony cases where the punishment is a fine only, and when made and approved shall stay the execution of such judgment. Bail on appeal ~~after the effective date of this act~~ shall not be allowed after conviction of any of the following offenses:

1. Murder in any degree;
2. Kidnapping for purpose of extortion;
3. Robbery with a dangerous weapon;
4. Rape in any degree;
5. Arson in the first degree;
6. Shooting with intent to kill;
7. Manslaughter in the first degree;
8. Forcible sodomy;

9. Any felony conviction for which the evidence shows that the defendant used or was in possession of a firearm or other dangerous or deadly weapon during the commission of the offense;

10. Trafficking in illegal drugs; ~~or~~

11. Sexual abuse of a child; or

12. Any other felony after former conviction of a felony.

The granting or refusal of bail after judgment of conviction in all other felony cases shall rest in the discretion of the court~~r~~i; however, if bail is allowed, the trial court shall state the reason therefor.

SECTION 2. This act shall become effective November 1, 2001.

48-1-315

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