

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2849

By: Blackwell

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 431, which relates to escaped prisoners; clarifying certain procedural issues concerning escaped inmates; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 431, is amended to read as follows:

Section 431. A. Every prisoner confined upon conviction for a criminal offense, who escapes from prison, may be pursued, retaken and imprisoned again, notwithstanding the term for which he was sentenced to be imprisoned may have expired at the time when he is retaken, and he shall remain so imprisoned until tried for such escape, or discharged, on a failure to prosecute therefor.

B. The provisions of Section 152 of Title 22 of the Oklahoma Statutes shall not apply until the escaped prisoner is returned to the physical custody of the city, county, state, or federal jail or prison where imprisoned at the time of the escape, and no indictment, information, or arrest warrant shall be dismissed for any reason regarding the failure to prosecute, until the prisoner is returned to the custody of the jail or prison.

SECTION 2. This act shall become effective November 1, 2006.

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