

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 960

By: Adelson

AS INTRODUCED

An Act relating to criminal procedure; amending 22 O.S. 2001, Section 1167, which relates to commitment to state hospital; making references gender neutral; clarifying obsolete references; and providing an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 2001, Section 1167, is amended to read as follows:

Section 1167. If the jury finds the defendant presently insane, the trial or judgment must be suspended until ~~he~~ the defendant becomes sane, and if the jury deem ~~his~~ the defendant's discharge dangerous to the public peace or safety, the court shall order that the defendant be committed to one of the state hospitals for the mentally ill, and to be held therein and kept as a patient and inmate, until he ~~be~~ or she is discharged and released as presently sane by the authority of the superintendent of ~~said~~ such hospital. A release by the superintendent of ~~said~~ the hospital shall be to the custody of the sheriff of the county in which the criminal case theretofore suspended is or was pending and from which ~~he~~ the defendant was committed. The court having jurisdiction thereof shall set the cause for trial.

SECTION 2. This act shall become effective November 1, 2005.

50-1-535

CJ

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