

1 ENGROSSED HOUSE
2 BILL NO. 2472

By: Rousselot and Pittman of
the House

3 and

4 Garrison of the Senate
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7 An Act relating to civil procedure; amending Section
8 2, Chapter 76, O.S.L. 2007 (12 O.S. Supp. 2007,
9 Section 2414), which relates to the Oklahoma Evidence
Code; modifying statutory reference; and providing an
effective date.

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

13 SECTION 1. AMENDATORY Section 2, Chapter 76, O.S.L. 2007
14 (12 O.S. Supp. 2007, Section 2414), is amended to read as follows:

15 Section 2414. A. In a criminal case in which the defendant is
16 accused of an offense of child molestation, evidence of the
17 defendant's commission of another offense or offenses of child
18 molestation is admissible, and may be considered for its bearing on
19 any matter to which it is relevant.

20 B. In a case in which the state intends to offer evidence under
21 this rule, the attorney for the state shall disclose the evidence to
22 the defendant, including statements of witnesses or a summary of the
23 substance of any testimony that is expected to be offered, at least

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1 fifteen (15) days before the scheduled date of trial or at such
2 later time as the court may allow for good cause.

3 C. This rule shall not be construed to limit the admission or
4 consideration of evidence under any other rule.

5 D. For purposes of this rule, "child" means a person below the
6 age of sixteen (16), and "offense of child molestation" means a
7 crime under federal law or the laws of this state that involve:

8 1. Any conduct proscribed by Sections 1111 ~~and~~ through 1125 of
9 Title 21 of the Oklahoma Statutes, that was committed in relation to
10 a child;

11 2. Contact between any part of the defendant's body or an
12 object and the genitals or anus of a child;

13 3. Contact between the genitals or anus of the defendant and
14 any part of the body of a child;

15 4. Deriving sexual pleasure or gratification from the
16 infliction of death, bodily injury, emotional distress, or physical
17 pain on a child; or

18 5. An attempt or conspiracy to engage in conduct described in
19 paragraphs 1 through 4 of this subsection.

20 SECTION 2. This act shall become effective November 1, 2008.

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1 Passed the House of Representatives the 3rd day of March, 2008.

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4 Presiding Officer of the House of
Representatives

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6 Passed the Senate the ____ day of _____, 2008.

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9 Presiding Officer of the Senate