

THE HOUSE OF REPRESENTATIVES
Tuesday, February 26, 2008

House Bill No. 2472

HOUSE BILL NO. 2472 - By: ROUSSELOT of the House and GARRISON of the Senate.

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

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

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

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

7 B. In a case in which the state intends to offer evidence under this rule, the
8 attorney for the state shall disclose the evidence to the defendant, including statements
9 of witnesses or a summary of the substance of any testimony that is expected to be
10 offered, at least fifteen (15) days before the scheduled date of trial or at such later time as
11 the court may allow for good cause.

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

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

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

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

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

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

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,
16 dated 02-25-08 - DO PASS, As Coauthored.