

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 2128

By: Nichols

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5  
6 AS INTRODUCED

7 An Act relating to criminal procedure; amending 22  
8 O.S. 2001, Section 765, as amended by Section 3,  
9 Chapter 445, O.S.L. 2004 (22 O.S. Supp. 2007, Section  
10 765), which relates to order for examinations;  
11 clarifying statutory cite; and providing an effective  
12 date.

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

14 SECTION 1. AMENDATORY 22 O.S. 2001, Section 765, as  
15 amended by Section 3, Chapter 445, O.S.L. 2004 (22 O.S. Supp. 2007,  
16 Section 765), is amended to read as follows:

17 Section 765. If the court or judge is satisfied that the  
18 examination of the witness is necessary an order must be made that  
19 the witness be examined conditionally at a specified time and place,  
20 and that a copy of the order be served on counsel for the opposing  
21 party within a specified time before that fixed for the examination.

22 If the witness is a child under thirteen (13) years of age or a  
23 vulnerable adult as defined in Section 10-103 of Title 43A of the  
24 Oklahoma Statutes, the court can allow the witness to testify  
through an alternative method pursuant to the provisions of the

1 Uniform Child Witness Testimony by Alternative Methods Act, Section  
2 2611.3 et seq. of Title 12 of the Oklahoma Statutes, or Section  
3 2611.2 of Title 12 of the Oklahoma Statutes.

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

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