

1 **SENATE FLOOR VERSION**

2 February 27, 2012

3 SENATE BILL NO. 1830

By: Jolley of the Senate

4 and

5 Schwartz of the House

6
7 An Act relating to admissibility of evidence;
8 amending 12 O.S. 2011, Section 2407, which relates to
9 subsequent remedial measures; modifying requirements
for admissibility of certain evidence; and providing
an effective date.

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

12 SECTION 1. AMENDATORY 12 O.S. 2011, Section 2407, is
13 amended to read as follows:

14 Section 2407. ~~When, after an event, measures are taken which,~~
15 ~~if taken previously, that~~ would have made the event an earlier
16 injury or harm less likely to occur, evidence of the subsequent
17 measures is not admissible to prove negligence ~~or,~~ culpable conduct
18 ~~in connection with the event. This section does not require the~~
19 ~~exclusion of evidence of subsequent measures when offered, a defect~~
20 in a product or its design or a need for a warning or instruction.
21 However, a court may admit such evidence for another purpose, such
22 as impeachment or, if disputed, proving ownership, control, or
23 feasibility of precautionary measures, ~~if controverted, or~~
24 ~~impeachment.~~

1 SECTION 2. This act shall become effective November 1, 2012.

2 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-21-12 - DO
3 PASS, As Coauthored.

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