



1 SECTION 2. AMENDATORY 12 O.S. 2011, Section 2702, is  
2 amended to read as follows:

3 Section 2702. If scientific, technical or other specialized  
4 knowledge will assist the trier of fact to understand the evidence  
5 or to determine a fact in issue, a witness qualified as an expert by  
6 knowledge, skill, experience, training or education may testify in  
7 the form of an opinion or otherwise, ~~if:~~

8 ~~1. The testimony is based upon sufficient facts or data;~~

9 ~~2. The testimony is the product of reliable principles and~~  
10 ~~methods; and~~

11 ~~3. The witness has applied the principles and methods reliably~~  
12 ~~to the facts of the case.~~

13 SECTION 3. AMENDATORY 12 O.S. 2011, Section 2702, as  
14 amended by Section 2 of this act, is amended to read as follows:

15 Section 2702. If scientific, technical or other specialized  
16 knowledge will assist the trier of fact to understand the evidence  
17 or to determine a fact in issue, a witness qualified as an expert by  
18 knowledge, skill, experience, training or education may testify in  
19 the form of an opinion or otherwise, if:

20 1. The testimony is based upon sufficient facts or data;

21 2. The testimony is the product of reliable principles and  
22 methods; and

23 3. The witness has applied the principles and methods reliably  
24 to the facts of the case.

1 SECTION 4. REPEALER Section 19, Chapter 228, O.S.L.  
2 2009, is hereby repealed.

3 SECTION 5. AMENDATORY 12 O.S. 2011, Section 2703, is  
4 amended to read as follows:

5 Section 2703. The facts or data in the particular case upon  
6 which an expert bases an opinion or inference may be those perceived  
7 by or made known to the expert at or before the hearing. If of a  
8 type reasonably relied upon by experts in the particular field in  
9 forming opinions or inferences upon the subject, the facts or data  
10 need not be admissible in evidence in order for the opinion or  
11 inference to be admitted. ~~Facts or data that are otherwise~~  
12 ~~inadmissible shall not be disclosed to the jury by the proponent of~~  
13 ~~the opinion or inference unless the court determines that their~~  
14 ~~probative value in assisting the jury to evaluate the expert's~~  
15 ~~opinion substantially outweighs their prejudicial effect.~~

16 SECTION 6. AMENDATORY 12 O.S. 2011, Section 2703, as  
17 amended by Section 5 of this act, is amended to read as follows:

18 Section 2703. The facts or data in the particular case upon  
19 which an expert bases an opinion or inference may be those perceived  
20 by or made known to the expert at or before the hearing. If of a  
21 type reasonably relied upon by experts in the particular field in  
22 forming opinions or inferences upon the subject, the facts or data  
23 need not be admissible in evidence in order for the opinion or  
24 inference to be admitted. Facts or data that are otherwise

1 inadmissible shall not be disclosed to the jury by the proponent of  
2 the opinion or inference unless the court determines that their  
3 probative value in assisting the jury to evaluate the expert's  
4 opinion substantially outweighs their prejudicial effect.

5 SECTION 7. It being immediately necessary for the preservation  
6 of the public peace, health and safety, an emergency is hereby  
7 declared to exist, by reason whereof this act shall take effect and  
8 be in full force from and after its passage and approval.

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10 DIRECT TO CALENDAR.

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