

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 1035

By: Sykes

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5
6 AS INTRODUCED

7 An Act relating to criminal pleas; amending 22 O.S.
8 2011, Section 513, which relates to pleas to
9 indictment or information; modifying available pleas;
10 and providing an effective date.

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

12 SECTION 1. AMENDATORY 22 O.S. 2011, Section 513, is
13 amended to read as follows:

14 Section 513. There are ~~four~~ six kinds of pleas to an indictment
15 or information. A plea of:

16 ~~First, Guilty.~~

17 ~~Second, 1. Not guilty-;~~

18 ~~Third, 2. Guilty and asking the court to accept an agreed~~
19 sentencing reached by the state and the defendant. The court shall
20 not alter the agreement, but may reject the agreement. If the court
21 rejects the agreement, the defendant shall be returned to a plea of
22 not guilty, but may enter another plea at a later time;

23 3. Nolo contendere, subject to the approval of the court. The
24 legal effect of such plea shall be the same as that of a plea of

1 guilty, but the plea may not be used against the defendant as an
2 admission in any civil suit based upon or growing out of the act
3 upon which the criminal prosecution is based-;

4 ~~Fourth,~~ 4. A plea of guilty pursuant to Alford v. North
5 Carolina, 400 U.S. 25, subject to the recommendation of the district
6 attorney and the approval of the court;

7 5. A former judgment of conviction or acquittal of the offense
8 charged, which must be specially pleaded, either with or without the
9 plea of not guilty; and

10 6. A blind plea of guilty wherein the court determines
11 sentencing pursuant to applicable law.

12 SECTION 2. This act shall become effective November 1, 2013.

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