

1 STATE OF OKLAHOMA

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

3 SENATE BILL 526

By: Coates

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6 AS INTRODUCED

7 An Act relating to deferred prosecution; amending 22
8 O.S. 2011, Section 305.4, which relates to completion
9 of certain program; requiring the district attorney
10 to furnish certain records to the Oklahoma State
11 Bureau of Investigation; and providing an effective
12 date.

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

13 SECTION 1. AMENDATORY 22 O.S. 2011, Section 305.4, is
14 amended to read as follows:

15 Section 305.4. If the accused completes the program agreed
16 upon, the State of Oklahoma shall not file the charges against the
17 accused. ~~The records of the accused shall be sealed and not be
18 released or viewed except on a limited basis by law enforcement or
19 prosecution personnel for the purposes of determining if the accused
20 has been diverted. The district attorney shall take all necessary
21 measures to ensure that all of the records of the person remain
22 confidential~~ Notwithstanding any other provision of law to the
23 contrary, and on or after the effective date of this act, the
24 district attorney shall furnish to the Oklahoma State Bureau of

1 Investigation the records of a person who is eighteen (18) years of
2 age or older and enters into a deferred prosecution agreement for an
3 alleged crime and completes the program agreed upon.

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

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