

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2292 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Wade Rousselot \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2292

By: Rousselot

7  
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to criminal procedure; amending 22  
10 O.S. 2011, Section 152, as amended by Section 2,  
11 Chapter 290, O.S.L. 2015 (22 O.S. Supp. 2015, Section  
12 152), which relates to statutes of limitation;  
13 updating statutory citation; listing additional  
14 crimes; increasing statute of limitations for victims  
15 of specified crimes; and providing an effective date.

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

17 SECTION 1. AMENDATORY 22 O.S. 2011, Section 152, as  
18 amended by Section 2, Chapter 290, O.S.L. 2015 (22 O.S. Supp. 2015,  
19 Section 152), is amended to read as follows:

20 Section 152. A. Prosecutions for the crimes of bribery,  
21 embezzlement of public money, bonds, securities, assets or property  
22 of the state or any county, school district, municipality or other  
23 subdivision thereof, or of any misappropriation of public money,  
24 bonds, securities, assets or property of the state or any county,  
school district, municipality or other subdivision thereof,

1 falsification of public records of the state or any county, school  
2 district, municipality or other subdivision thereof, and conspiracy  
3 to defraud the State of Oklahoma or any county, school district,  
4 municipality or other subdivision thereof in any manner or for any  
5 purpose shall be commenced within seven (7) years after the  
6 discovery of the crime; provided, however, prosecutions for the  
7 crimes of embezzlement or misappropriation of public money, bonds,  
8 securities, assets or property of any school district, including  
9 those relating to student activity funds, or the crime of  
10 falsification of public records of any independent school district,  
11 the crime of criminal conspiracy, the crime of embezzlement,  
12 pursuant to Sections 1451 through ~~1462~~ 1461 of Title 21 of the  
13 Oklahoma Statutes, the crime of False Personation or Identity Theft,  
14 pursuant to Sections 1531 through 1533.3 of Title 21 of the Oklahoma  
15 Statutes, or the financial exploitation of a vulnerable adult,  
16 pursuant to Sections 843.1, 843.3 and 843.4 of Title 21 of the  
17 Oklahoma Statutes, shall be commenced within five (5) years after  
18 the discovery of the crime.

19 B. Prosecutions for criminal violations of any state income tax  
20 laws shall be commenced within five (5) years after the commission  
21 of such violation.

22 C. 1. Prosecutions for the crime of rape or forcible sodomy,  
23 sodomy, lewd or indecent proposals or acts against children,  
24 involving minors in pornography pursuant to Section 886, 888,

1 1021.2, 1021.3, 1040.12a, 1111, 1111.1, 1113, 1114, ~~1021.2, 1021.3,~~  
2 ~~1040.12a~~ or 1123 of Title 21 of the Oklahoma Statutes, child abuse,  
3 child sexual abuse or child sexual exploitation pursuant to Section  
4 843.5 of Title 21 of the Oklahoma Statutes, and child trafficking  
5 pursuant to Section 866 of Title 21 of the Oklahoma Statutes shall  
6 be commenced within ~~twelve (12)~~ eighteen (18) years after the  
7 discovery of the crime.

8 2. However, prosecutions for the crimes listed in paragraph 1  
9 of this subsection may be commenced at any time after the commission  
10 of the offense if:

- 11 a. the victim notified law enforcement within ~~twelve (12)~~  
12 eighteen (18) years after the discovery of the crime,  
13 b. physical evidence is collected and preserved that is  
14 capable of being tested to obtain a profile from  
15 deoxyribonucleic acid (DNA), and  
16 c. the identity of the offender is subsequently  
17 established through the use of a DNA profile using  
18 evidence listed in subparagraph b of this paragraph.

19 A prosecution under this exception must be commenced within  
20 three (3) years from the date on which the identity of the suspect  
21 is established by DNA testing.

22 3. As used in paragraph 1 of this subsection, "discovery" means  
23 the date that a physical or sexually related crime involving a  
24 victim under the age of eighteen (18) years is reported to a law

1 enforcement agency, up to and including one (1) year from the  
2 eighteenth birthday of the child.

3 D. Prosecutions for criminal violations of any provision of the  
4 Oklahoma Wildlife Conservation Code shall be commenced within three  
5 (3) years after the commission of such offense.

6 E. Prosecutions for the crime of criminal fraud or workers'  
7 compensation fraud pursuant to Section 1541.1, 1541.2, 1662 or 1663  
8 of Title 21 of the Oklahoma Statutes shall commence within three (3)  
9 years after the discovery of the crime, but in no event greater than  
10 seven (7) years after the commission of the crime.

11 F. Prosecution for the crime of false or bogus check, Section  
12 1541.1, 1541.2, 1541.3 or 1541.4 of Title 21 of the Oklahoma  
13 Statutes, shall be commenced within five (5) years after the  
14 commission of such offense.

15 G. Prosecution for the crime of solicitation for murder in the  
16 first degree pursuant to Section 701.16 of Title 21 of the Oklahoma  
17 Statutes shall be commenced within seven (7) years after the  
18 discovery of the crime. For purposes of this subsection,  
19 "discovery" means the date upon which the crime is made known to  
20 anyone other than a person involved in the solicitation.

21 H. In all other cases a prosecution for a public offense must  
22 be commenced within three (3) years after its commission.  
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1 I. Prosecution for the crime of accessory after the fact must  
2 be commenced within the same statute of limitations as that of the  
3 felony for which the person acted as an accessory.

4 J. Prosecution for the crime of arson pursuant to Section 1401,  
5 1402, 1403, 1404 or 1405 of Title 21 of the Oklahoma Statutes shall  
6 be commenced within seven (7) years after the commission of the  
7 crime.

8 K. Prosecutions for criminal violations in which a deadly  
9 weapon is used to commit a felony or prosecutions for criminal  
10 violations in which a deadly weapon is used in an attempt to commit  
11 a felony shall be commenced within seven (7) years after the  
12 commission of the crime.

13 ~~L. As used in paragraph 1 of subsection C of this section,~~  
14 ~~"discovery" means the date that a physical or sexually related crime~~  
15 ~~involving a victim under the age of eighteen (18) years of age is~~  
16 ~~reported to a law enforcement agency, up to and including one (1)~~  
17 ~~year from the eighteenth birthday of the child.~~

18 SECTION 2. This act shall become effective November 1, 2016.  
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20 55-2-8967 EK 02/08/16  
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