

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 715

By: Smalley

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6 AS INTRODUCED

7 An Act relating to mental health; amending 43A O.S.
8 2011, Section 1-105, which relates to mental
9 incompetence; permitting district courts to consider
10 examinations performed at certain facilities;
11 requiring facilities performing examinations to have
12 certain staff; and providing an effective date.

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

14 SECTION 1. AMENDATORY 43A O.S. 2011, Section 1-105, is
15 amended to read as follows:

16 Section 1-105. A. No person admitted to any facility shall be
17 considered or presumed to be mentally or legally incompetent except
18 those persons who have been determined to be mentally or legally
19 incompetent in separate and independent proceedings of an
20 appropriate district court.

21 B. District courts may consider pretrial competency
22 examinations performed by a psychiatrist at the Oklahoma Forensic
23 Center or at a county jail in this state; provided, the jail must
24 have a psychiatrist licensed in this state on its staff to perform
such examinations.

1 SECTION 2. This act shall become effective November 1, 2015.

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