1	SENATE FLOOR VERSION April 6, 2016
2	AS AMENDED
3	ENGROSSED HOUSE BILL NO. 2472 By: Peterson, Sherrer and
4	Hoskin of the House
5	and
6	Treat and Brooks of the Senate
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9	<pre>[ criminal procedure - district attorneys discretion to file misdemeanor charges - codification -</pre>
10	effective date ]
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13	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
14	SECTION 1. NEW LAW A new section of law to be codified
15	in the Oklahoma Statutes as Section 234 of Title 22, unless there is
16	created a duplication in numbering, reads as follows:
17	When determining the appropriate charge for a person accused of
18	committing a criminal offense, the district attorney shall have the
19	discretion to file the charge as a misdemeanor offense rather than a
20	felony offense after considering the following factors:
21	1. The criminal offense for which the person has been arrested
22	is not listed as a criminal offense in Section 13.1 of Title 21 of
23	the Oklahoma Statutes;
24	2. The nature of the criminal offense;

1	3. The age, background and criminal history of the person who
2	committed the criminal offense;
3	4. The character and rehabilitation needs of the person who
4	committed the criminal offense; and
5	5. Whether it is in the best interests of justice to file the
6	charge as a misdemeanor offense rather than a felony offense.
7	SECTION 2. This act shall become effective November 1, 2016.
8	COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS April 6, 2016 - DO PASS AS AMENDED
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