

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 2458

By: Dunnington

AS INTRODUCED

An Act relating to criminal procedure; amending 22 O.S. 2011, Section 231, which relates to misdemeanor arrest warrants; updating language; providing time limitations on effectiveness of misdemeanor warrants; requiring inclusion of expiration dates on misdemeanor warrants; making time limitation requirements for outstanding misdemeanor warrants retroactive; and providing an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 2011, Section 231, is amended to read as follows:

Section 231. A. In all misdemeanor cases, before a warrant shall ~~issue~~ be issued for the arrest of the defendant, the complaint must be submitted to the district attorney, or drawn by ~~him~~ the district attorney and ~~indorsed~~ endorsed as follows: "I have examined the facts in this case and recommend that a warrant do issue", and then filed with the court. If the action be brought without such endorsement, the complaining witness must file with the court a bond to be approved by the court in a sum not less than Fifty Dollars (\$50.00), conditioned to pay all costs, and the county

1 shall in no event be liable for any costs incurred in that action,  
2 unless the complaint be first so endorsed by the district attorney.

3 B. A misdemeanor warrant shall not be effective for an amount  
4 of time greater than the statute of limitations for the underlying  
5 crime pursuant to Section 152 of this title. Every misdemeanor  
6 warrant that is issued shall include a date of expiration; provided,  
7 the date of expiration shall be no longer than three (3) years after  
8 the date of issuance after which point the misdemeanor warrant shall  
9 no longer be valid. This provision shall be retroactively applied  
10 to all outstanding misdemeanor warrants.

11 SECTION 2. This act shall become effective November 1, 2019.

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13 57-1-5477 GRS 12/31/18  
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