

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1757

By: Ranson of the House

and

7 **Dugger** of the Senate

8
9
10 COMMITTEE SUBSTITUTE

11 An Act relating to criminal procedure; amending 22
12 O.S. 2011, Section 189, which relates to time
13 limitations for making arrests; authorizing the
14 arrest of persons under certain circumstances; and
15 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 189, is
18 amended to read as follows:

19 Section 189. A. If the offense charged is a felony, the arrest
20 may be made on any day, and at any time of the day or night.

21 B. If ~~it is~~ the offense charged is a misdemeanor, the arrest
22 may be made only during the hours of ~~six o'clock~~ 6:00 a.m. to ~~ten~~
23 ~~o'clock~~ 10:00 p.m., inclusive, except as otherwise may be directed
24 by the magistrate endorsed upon the warrant. Provided, an arrest on

1 a warrant which charges a misdemeanor offense may be made at any
2 time of the day or night if the defendant is in a public place ~~or~~,
3 on a public roadway, or at any other place and is contacted by a law
4 enforcement officer during the performance of his or her duties;
5 provided that, the serving of the warrant is not the primary reason
6 for said contact with the defendant.

7 SECTION 2. This act shall become effective November 1, 2021.

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9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
10 02/24/2021 - DO PASS, As Amended and Coauthored.
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