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April 11, 2023

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2210

By: Stark, West (Kevin), and
Pittman of the House

and

Weaver and Boren of the
Senate

An Act relating to juveniles; defining term; authorizing courts to depart from certain sentencing requirements; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-5-401 of Title 10A, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, "mandatory minimum" means the minimum number of years of imprisonment a person is required to serve based on the felony or misdemeanor offense.

B. If a minor is convicted as an adult for an offense that the minor committed when he or she was under eighteen (18) years of age and the court finds by clear and convincing evidence that the person against whom the minor was convicted of committing the offense

1 trafficked the minor or sexually abused or sexually assaulted the
2 minor within ninety (90) days before the commission of the offense,
3 the court may:

4 1. Depart from the mandatory minimum sentence or sentence
5 enhancement;

6 2. Suspend any portion of an otherwise applicable sentence; or

7 3. Transfer the minor to the jurisdiction of the juvenile
8 division of the district court for further proceedings.

9 SECTION 2. This act shall become effective November 1, 2023.

10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
11 April 11, 2023 - DO PASS AS AMENDED BY CS
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