

1 ENGROSSED HOUSE
2 BILL NO. 2458

By: Dunnington of the House

3 and

4 Hicks of the Senate

5
6 [criminal procedure - providing time limitations on
7 effectiveness of misdemeanor warrants - effective
8 date]
9
10

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

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

14 Section 231. A. In all misdemeanor cases, before a warrant
15 shall ~~issue~~ be issued for the arrest of the defendant, the complaint
16 must be submitted to the district attorney, or drawn by ~~him~~ the
17 district attorney and endorsed as follows: "I have examined the
18 facts in this case and recommend that a warrant do issue", and then
19 filed with the court. If the action be brought without such
20 endorsement, the complaining witness must file with the court a bond
21 to be approved by the court in a sum not less than Fifty Dollars
22 (\$50.00), conditioned to pay all costs, and the county shall in no
23 event be liable for any costs incurred in that action, unless the
24 complaint be first so endorsed by the district attorney.

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

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

Passed the House of Representatives the 13th day of March, 2019.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2019.

Presiding Officer of the Senate