

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 1931

By: Osburn

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~~ is brought without such endorsement, the complaining witness must file with the court a bond to be approved by the court in a sum of 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  
9 shall no longer be valid. This provision shall be retroactively  
10 applied to all outstanding misdemeanor warrants.

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

12  
13 57-1-5348 GRS 01/02/19  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24