

**BILL SUMMARY**  
1<sup>st</sup> Session of the 57<sup>th</sup> Legislature

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|------------------------|--------------------|
| <b>Bill No.:</b>       | <b>HB 1102</b>     |
| <b>Version:</b>        | <b>CCR A</b>       |
| <b>Request Number:</b> |                    |
| <b>Author:</b>         | <b>Rep. Osburn</b> |
| <b>Date:</b>           | <b>3/12/2019</b>   |
| <b>Impact:</b>         | <b>DAC: \$0</b>    |

**Research Analysis**

The conference committee substitute to HB 1102 modifies the definition of “crime victim” in the Oklahoma Victim’s Rights Act to include a person directly and proximately harmed by the commission of a crime or delinquent act. The term does not include the accused or a person whom the court finds would not act in the best interests of a person who is deceased or incompetent, a minor or an incapacitated victim. The measure allows the victim to be notified and to be present at all proceedings involving the criminal or delinquent conduct, to be heard in any proceeding involving release, plea, sentencing, disposition, parole and any proceeding during which a right of the victim is implicated and to be notified of any release or escape of an accused. Upon initial contact with a victim, a municipal, county or state law enforcement officer is to provide the victim or next of kin with a written copy of the constitutional and statutory rights of the victim. The measure allows a victim to refuse interview requests or other request made by the accused. The measure provides the victim, the attorney for the victim or other lawful representative, or the attorney for the state upon request of the victim may assert, in any trial or appellate court or before any other authority with jurisdiction over the case, and have enforced all of the rights enumerated in this section and any other right afforded to the victim by law. The court or other authority shall act promptly on such a request. The rights afforded victims under the Oklahoma Victim's Rights Act shall be protected in a manner no less vigorous than the rights afforded the accused.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The CCR on HB 1102, which modifies the definition of crime victim, upon review and with consultation from the DAs Council (DAC), has no fiscal or revenue considerations for the state.

Prepared By: Kristina King

**Other Considerations**

None.