

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB1662
Version:	Introduced
Request Number:	6154
Author:	Rep. West, Kevin
Date:	3/5/2021
Impact:	No direct impact anticipated

Research Analysis

HB 1662 clarifies the immunity provision for persons asserting claims of self-defense. The measure provides that at the initial arraignment in a case involving the unlawful use of defensive force, the defendant may file a motion to dismiss the charges based on a claim that the defendant is not subject to criminal prosecution. If the court denies the motion to dismiss, the defendant shall have the right to file an interlocutory appeal on the ruling made by the court to the district court judge or associate district court judge having jurisdiction over the case. Once a prima facie claim of justified self-defense has been raised by the defendant, the State of Oklahoma shall be required to prove beyond reasonable doubt that the defensive force used was not justified and was thereby unlawful.

Prepared By: Brad Wolgamott

Fiscal Analysis

The measure modifies the immunity provisions for persons asserting claims of self-defense.

No direct impact to state revenues or expenditures is anticipated from passage of the measure.

Prepared By: Clayton Mayfield

Other Considerations

None.