

1 ENGROSSED SENATE
2 BILL NO. 1835

By: Gollihare of the Senate

3 and

4 Echols of the House

5
6 An Act relating to postconviction relief; authorizing
7 motion to vacate judgment of conviction under certain
8 circumstances; granting jurisdiction to consider
9 certain motion; providing for codification; and
10 declaring an emergency.

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

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1381 of Title 22, unless there
14 is created a duplication in numbering, reads as follows:

15 Notwithstanding any other provision of law concerning
16 postconviction relief, a district attorney in the jurisdiction in
17 which a person was convicted of an offense may file a motion in the
18 district court to vacate or set aside a judgment of conviction at
19 any time if clear and convincing evidence exists establishing that
20 the defendant was convicted of an offense that the defendant did not
21 commit. The district court shall have jurisdiction and authority to
22 consider, hear, and decide the motion.

23 SECTION 2. It being immediately necessary for the preservation
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

3 Passed the Senate the 14th day of March, 2024.

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Presiding Officer of the Senate

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7 Passed the House of Representatives the ____ day of _____,
8 2024.

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Presiding Officer of the House
of Representatives

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