

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1835

By: Gollihare of the Senate

6 and

7 Echols of the House

8
9 **[postconviction relief - motion to vacate judgment**
10 **of conviction - codification -**
11 **emergency]**
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13
14 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

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

18 Notwithstanding any other provision of law concerning
19 postconviction relief, a district attorney in the jurisdiction in
20 which a person was convicted of an offense may file a motion in the
21 district court to vacate or set aside a judgment of conviction at
22 any time if clear and convincing evidence exists establishing that
23 the defendant was convicted of an offense that the defendant did not
24

1 commit. The district court shall have jurisdiction and authority to
2 consider, hear, and decide the motion.

3 SECTION 2. It being immediately necessary for the preservation
4 of the public peace, health or safety, an emergency is hereby
5 declared to exist, by reason whereof this act shall take effect and
6 be in full force from and after its passage and approval.

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8 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
9 04/10/2024 - DO PASS, As Amended.

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