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February 6, 2024

By: Howard

An Act relating to court proceedings; amending 20 O.S. 2021, Section 130, which relates to videoconferencing in district courts; extending authorization for videoconferencing to certain appearances; amending 22 O.S. 2021, Sections 451 and 452, which relate to arraignment and personal appearance of defendant; authorizing use of videoconferencing for certain proceedings; making language gender neutral; and providing an effective date.

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

SECTION 1. AMENDATORY 20 O.S. 2021, Section 130, is amended to read as follows:

Section 130. The use of videoconferencing technology, or the equivalent thereof, in the district courts is hereby authorized in all stages of civil or criminal proceedings and shall be governed by the Rules for District Courts of Oklahoma. Such authorization includes the use of videoconferencing technology for appearances where the person is in custody in a county different from the county in which the case is filed.

SECTION 2. AMENDATORY 22 O.S. 2021, Section 451, is amended to read as follows:

1 Section 451. When the indictment or information is filed, the
2 defendant must be arraigned thereon before the court in which it is
3 filed, if triable therein; if not, before the court to which it is
4 removed or transmitted. If the defendant's physical presence is not
5 possible because the defendant is in custody in another county, the
6 arraignment shall take place by videoconference, if available, as
7 authorized by Section 130 of Title 20 of the Oklahoma Statutes.

8 SECTION 3. AMENDATORY 22 O.S. 2021, Section 452, is
9 amended to read as follows:

10 Section 452. If the indictment or information is for a felony
11 the defendant must be ~~personally~~ present, either in person or by
12 videoconference, but if for a misdemeanor only, ~~his~~ the personal
13 appearance is unnecessary, and ~~he~~ the defendant may appear upon the
14 arraignment by counsel.

15 SECTION 4. This act shall become effective November 1, 2024.

16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
17 February 6, 2024 - DO PASS
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