

Bill Summary
1st Session of the 58th Legislature

Bill No.:	SB 1835
Version:	CCR
Request No.:	3789
Author:	Sen. Treat
Date:	05/14/2024

Bill Analysis

SB 1835 creates the Oklahoma Survivors' Act. The measure provides that during a hearing to sentence an offender or accept a plea of guilty, the court must consider as a mitigating factor a person's history of physical, sexual, and psychological abuse prior to sentencing. The defendant must provide documentary evidence corroborating that the defendant was a victim of domestic violence at the time the offense was committed. Additionally, the defendant must provide a court record, presentence report, social services record, hospital record, or a sworn statement from a person who is not the defendant. The measure provides that other evidence outlined in the measure may be provided.

If the court determines that the defendant was the victim of domestic abuse or the subjected to physical, sexual, or psychological abuse at the time the offense was committed, the court shall depart from the applicable sentence ranges outlined in the measure. This departure shall not apply to an offense that requires the defendant to register as a sex offender, an attempt to conspire to commit an offense that would require registry, offenses relating to child abuse, or offenses resulting in the defendant receiving the death penalty. The measure provides for retroactive sentencing to comply with the provisions of the measure. Offenders previously convicted of a crime who qualify for the reduced sentencing must submit a request for resentencing. Applicants must provide similar documentary evidence as outlined previously in the measure.

CCR Changes

The Conference Committee Report for SB 1835 completely substitutes engrossed language with the language described above.

Prepared by: Kalen Taylor