

1 ENGROSSED HOUSE  
2 BILL NO. 1935

By: Sterling of the House

3 and

4 Thompson of the Senate

5  
6  
7 An Act relating to criminal procedure; amending 22  
8 O.S. 2021, Section 152, as last amended by Section 1,  
9 Chapter 338, O.S.L. 2024 (22 O.S. Supp. 2024, Section  
10 152), which relates to limitations; modifying crimes  
11 that may be prosecuted within certain limitation; and  
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 22 O.S. 2021, Section 152, as last  
15 amended by Section 1, Chapter 338, O.S.L. 2024 (22 O.S. Supp. 2024,  
16 Section 152), is amended to read as follows:

17 Section 152. A. Prosecutions for the crimes of bribery,  
18 embezzlement of public money, bonds, securities, assets or property  
19 of the state or any county, school district, municipality or other  
20 subdivision thereof, or of any misappropriation of public money,  
21 bonds, securities, assets or property of the state or any county,  
22 school district, municipality or other subdivision thereof,  
23 falsification of public records of the state or any county, school  
24 district, municipality or other subdivision thereof, and conspiracy  
to defraud the State of Oklahoma or any county, school district,

1 municipality or other subdivision thereof in any manner or for any  
2 purpose shall be commenced within seven (7) years after the  
3 discovery of the crime; provided, however, prosecutions for the  
4 crimes of embezzlement or misappropriation of public money, bonds,  
5 securities, assets or property of any school district, including  
6 those relating to student activity funds, or the crime of  
7 falsification of public records of any independent school district,  
8 the crime of criminal conspiracy, the crime of embezzlement pursuant  
9 to Sections 1451 through 1461 of Title 21 of the Oklahoma Statutes,  
10 the crime of False Personation or Identity Theft pursuant to  
11 Sections 1531 through 1533.3 of Title 21 of the Oklahoma Statutes,  
12 the financial exploitation of a vulnerable adult pursuant to  
13 Sections 843.1, 843.3 and 843.4 of Title 21 of the Oklahoma  
14 Statutes, or Medicaid fraud pursuant to Section 1005 of Title 56 of  
15 the Oklahoma Statutes, shall be commenced within five (5) years  
16 after the discovery of the crime.

17 B. Prosecutions for criminal violations of any state income tax  
18 laws shall be commenced within five (5) years after the commission  
19 of such violation.

20 C. 1. Prosecutions for sexual crimes against children,  
21 specifically rape or forcible sodomy, sodomy, lewd or indecent  
22 proposals or acts against children, involving minors in pornography  
23 pursuant to Section 886, 888, 1111, 1111.1, 1113, 1114, 1021.2,  
24 1021.3, 1040.12a or 1123 of Title 21 of the Oklahoma Statutes, ~~child~~

1 ~~abuse pursuant to~~ any offense prohibited by Section 843.5 of Title  
2 21 of the Oklahoma Statutes, sexual abuse of a vulnerable adult  
3 pursuant to Section 843.1 of Title 21 of the Oklahoma Statutes,  
4 child trafficking pursuant to Section 866 of Title 21 of the  
5 Oklahoma Statutes, ~~and~~ nonconsensual dissemination of private sexual  
6 images pursuant to Section 1040.13b of Title 21, and failure to  
7 report abuse or neglect pursuant to Section 1-2-101 of Title 10A of  
8 the Oklahoma Statutes shall be commenced by the forty-fifth birthday  
9 of the alleged victim. Prosecutions for such crimes committed  
10 against victims eighteen (18) years of age or older shall be  
11 commenced within twenty (20) years after the discovery of the crime.  
12 As used in this paragraph, "discovery" means the date that a  
13 physical or sexually related crime involving a victim eighteen (18)  
14 years of age or older is reported to a law enforcement agency. Any  
15 offense for which the prosecution is not time-barred upon the  
16 effective date of this act shall be retroactively subject to the  
17 provisions of this subsection.

18 2. However, prosecutions for the crimes listed in paragraph 1  
19 of this subsection may be commenced at any time after the commission  
20 of the offense if:

21 a. physical evidence is collected and preserved that is  
22 capable of being tested to obtain a profile from  
23 deoxyribonucleic acid (DNA), and  
24

- 1           b.   probable cause as to the identity of the offender is  
2                   subsequently established through the use of a DNA  
3                   profile using evidence listed in subparagraph a of  
4                   this paragraph, or  
5           c.   the accused person has provided a confession or  
6                   admission related to the crime.

7           3.   No prosecution under this subsection shall be based upon the  
8 memory of the victim that has been recovered through psychotherapy  
9 unless there is some evidence independent of such repressed memory.

10          4.   Any person who knowingly and willfully makes a false claim  
11 pursuant to this subsection or a claim that the person knows lacks  
12 factual foundation may be reported to local law enforcement for  
13 criminal investigation and, upon conviction, shall be guilty of a  
14 felony.

15          D.   Prosecutions for criminal violations of any provision of the  
16 Oklahoma Wildlife Conservation Code shall be commenced within three  
17 (3) years after the commission of such offense.

18          E.   Prosecutions for the crime of criminal fraud or workers'  
19 compensation fraud pursuant to Section 1541.1, 1541.2, 1662 or 1663  
20 of Title 21 of the Oklahoma Statutes shall commence within three (3)  
21 years after the discovery of the crime, but in no event greater than  
22 seven (7) years after the commission of the crime.

23          F.   Prosecution for the crime of false or bogus check pursuant  
24 to Section 1541.1, 1541.2, 1541.3 or 1541.4 of Title 21 of the

1 Oklahoma Statutes shall be commenced within five (5) years after the  
2 commission of such offense.

3 G. Prosecution for the crime of solicitation for murder in the  
4 first degree pursuant to Section 701.16 of Title 21 of the Oklahoma  
5 Statutes shall be commenced within seven (7) years after the  
6 discovery of the crime. For purposes of this subsection,  
7 "discovery" means the date upon which the crime is made known to  
8 anyone other than a person involved in the solicitation.

9 H. In all other cases a prosecution for a public offense must  
10 be commenced within three (3) years after its commission.

11 I. Prosecution for the crime of accessory after the fact must  
12 be commenced within the same statute of limitations as that of the  
13 felony for which the person acted as an accessory.

14 J. Prosecution for the crime of arson pursuant to Section 1401,  
15 1402, 1403, 1404 or 1405 of Title 21 of the Oklahoma Statutes shall  
16 be commenced within seven (7) years after the commission of the  
17 crime.

18 K. Prosecutions for criminal violations in which a deadly  
19 weapon is used to commit a felony or prosecutions for criminal  
20 violations in which a deadly weapon is used in an attempt to commit  
21 a felony shall be commenced within seven (7) years after the  
22 commission of the crime.

23 L. Prosecutions for the crime of human trafficking pursuant to  
24 Section 748 of Title 21 of the Oklahoma Statutes shall be commenced

