

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 733

By: Rader

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5  
6 AS INTRODUCED

7 An Act relating to criminal procedure; establishing  
8 time limitation for the filing of an indictment or  
9 information; providing an exception; allowing for  
10 extensions of time limitation upon a showing of good  
11 cause; authorizing arrested persons to request  
12 release on own recognizance bonds under certain  
13 circumstances; providing for codification; and  
14 providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 388.1 of Title 22, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. 1. When an arrested person is held in custody subsequent to  
20 an arrest, an indictment or information shall be filed by the state  
21 within five (5) business days of the arrest.

22 2. In counties with a population of more than five hundred  
23 thousand (500,000) according to the latest Federal Decennial Census,  
24 when an arrested person is held in custody subsequent to an arrest,  
an indictment or information shall be filed by the state within ten  
(10) business days of the arrest.

1 B. The state may move to extend the five-day or ten-day period  
2 required by subsection A of this section to file an indictment or  
3 information upon a showing of good cause.

4 C. 1. If the indictment or information has not been filed upon  
5 the expiration of the five-day or ten-day period required by  
6 subsection A of this section to file an indictment or information,  
7 the arrested person may move for release from custody subject to an  
8 own recognizance bond as provided for in Section 1108.1 of Title 22  
9 of the Oklahoma Statutes. The expiration of the time limit to file  
10 an indictment or information shall be prima facie grounds for the  
11 release of an arrested person on an own recognizance bond subject to  
12 the limitations on release set forth in subsection E of Section  
13 1108.1 of Title 22 of the Oklahoma Statutes or as otherwise provided  
14 by law.

15 2. An arrested person may move for release on his or her own  
16 recognizance upon the expiration of the period to file an indictment  
17 or information even if the arrested person has already had bail set  
18 by the court as provided for in Section 1105.2 of Title 22 of the  
19 Oklahoma Statutes.

20 SECTION 2. This act shall become effective November 1, 2025.

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