

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 1093

By: Osburn

4
5
6 AS INTRODUCED

7 An Act relating to evidence; providing for
8 admissibility of certain evidence; requiring
9 disclosure of evidence within specified time period;
10 defining term; providing for codification; and
11 providing an effective date.

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 2415 of Title 12, unless there
15 is created a duplication in numbering, reads as follows:

16 A. In a criminal case in which the defendant is accused of an
17 offense involving domestic violence or abuse, evidence of the
18 commission of another act of domestic violence or abuse by the
19 defendant is admissible and may be considered for its bearing on any
20 matter to which it is relevant.

21 B. In a criminal case in which the state intends to offer
22 evidence under this rule, the attorney for the state shall disclose
23 the evidence to the defendant, including statements of witnesses or
24 a summary of the substance of any testimony that is expected to be

1 offered, at least fifteen (15) days before the commencement of trial
2 or at such later time as the court may allow for good cause.

3 C. This rule shall not be construed to limit the admission or
4 consideration of evidence under any other rule.

5 D. For purposes of this rule, "domestic violence or abuse"
6 means any incident of controlling, coercive or threatening behavior,
7 violence or other act of abuse against a person in a relationship as
8 specified in subsection C of Section 644 of Title 21 of the Oklahoma
9 Statutes. The violence or abuse may be psychological, physical,
10 sexual, economic or emotional.

11 SECTION 2. This act shall become effective November 1, 2019.

12

13 57-1-5347 GRS 01/10/19

14

15

16

17

18

19

20

21

22

23

24