

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1757

6 By: Ranson

7 COMMITTEE SUBSTITUTE

8 An Act relating to criminal procedure; amending 22
9 O.S. 2011, Section 189, which relates to time
10 limitations for making arrests; authorizing the
11 arrest of persons under certain circumstances; 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. 2011, Section 189, is
15 amended to read as follows:

16 Section 189. A. If the offense charged is a felony, the arrest
17 may be made on any day, and at any time of the day or night.

18 B. If ~~it is~~ the offense charged is a misdemeanor, the arrest
19 may be made only during the hours of ~~six o'clock~~ 6:00 a.m. to ~~ten~~
20 ~~o'clock~~ 10:00 p.m., inclusive, except as otherwise may be directed
21 by the magistrate endorsed upon the warrant. Provided, an arrest on
22 a warrant which charges a misdemeanor offense may be made at any
23 time of the day or night if the defendant is in a public place ~~or,~~
24 on a public roadway, or at any other place and is contacted by a law

1 enforcement officer during the performance of his or her duties;
2 provided that, the serving of the warrant is not the primary reason
3 for said contact with the defendant.

4 SECTION 2. This act shall become effective November 1, 2021.

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