

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2105

By: Turner

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6 AS INTRODUCED

7 An Act relating to criminal procedure; amending 22
8 O.S. 2011, Section 856, which relates to procedures
9 for charging the jury; directing courts to inform
juries of the range of penalties prior to their
verdict; and providing an effective date.

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

13 SECTION 1. AMENDATORY 22 O.S. 2011, Section 856, is
14 amended to read as follows:

15 Section 856. In charging the jury, the court must state to them
16 all matters of law which it thinks necessary for their information
17 in giving their verdict, including the full range of penalties for
18 the offense for which the defendant is being charged, and if it
19 state the testimony of the case, it must in addition inform the jury
20 that they are the exclusive judges of all questions of fact. Either
21 party may present to the court any written charge and request that
22 it be given. If the court thinks it correct and pertinent, it must
23 be given; if not, it must be refused. Upon each charge presented
24 and given or refused the court must endorse or sign its decision.

1 If part of any written charge be given and part refused, the court
2 must distinguish, showing by the endorsement or answer, what part of
3 each charge was given and what part refused.

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

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6 58-1-6466 GRS 01/07/21
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