

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3756

By: Miller of the House

and

Brooks of the Senate

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7 An Act relating to courts; amending 20 O.S. 2011,
8 Section 3006, which relates to the Judge Gary Dean
9 Courtroom Technology Act; authorizing use of
10 videoconferencing between courtrooms and county
11 jails; modifying list to include certain court
proceedings; amending 22 O.S. 2011, Section 516,
which relates to person authorized to put in guilty
plea; providing exception to certain requirement; and
providing an effective date.

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14 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

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16 "An Act relating to courts; authorizing use of
17 videoconferencing in district court proceedings;
18 providing exceptions; providing for codification; and
19 providing an effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 130 of Title 20, unless there is
23 created a duplication in numbering, reads as follows:
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The use of videoconferencing technology, or the equivalent thereof, in the district courts is hereby authorized in all stages of civil or criminal proceedings and shall be governed by the Rules for District Courts of Oklahoma; provided, however, such technology shall not be used in a jury trial or a trial before a judge.

SECTION 2. This act shall become effective November 1, 2020."

Passed the Senate the 15th day of May, 2020.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2020.

Presiding Officer of the House
of Representatives

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which relates to person authorized to put in guilty
plea; providing exception to certain requirement; and
providing an effective date.

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

15 SECTION 3. AMENDATORY 20 O.S. 2011, Section 3006, is
16 amended to read as follows:

17 Section 3006. A. Beginning January 1, 2012, district courts
18 may use videoconferencing, including two-way interactive video
19 technology, between a courtroom and a correctional facility of the
20 Department of Corrections ~~or~~, a juvenile detention facility of the
21 Office of Juvenile Affairs or a county jail to conduct the following
22 proceedings including, but not limited to:

- 23 1. Sentence reviews;
24 2. Post-conviction relief hearings;

3. Delinquent and deprived actions;
4. Custody and adoption proceedings;
5. Commitment proceedings; ~~and~~
6. Extradition proceedings;
7. Plea and sentencing proceedings; and
8. Pre-trial, trial or fact-finding, or post-trial proceedings.

B. A waiver from the defendant or juvenile of the right to be present in the courtroom for a hearing shall be obtained prior to conducting any proceeding using videoconferencing or two-way interactive video technology. The use of videoconferencing or two-way interactive video technology shall be in accordance with any requirements and guidelines established by the Administrative Office of the Courts and all proceedings at which such technology is utilized shall be recorded verbatim by the district court.

C. The Administrative Office of the Courts shall promulgate rules and procedures to implement the provisions of this section.

SECTION 4. AMENDATORY 22 O.S. 2011, Section 516, is amended to read as follows:

Section 516. A plea of guilty can in no case be put in, except by the defendant himself or herself, in open court, unless ~~upon:~~

1. Upon an indictment or information against a corporation, in which case it can be put in by counsel; or
2. When conducted via videoconferencing in accordance with the provisions of Section 3006 of Title 20 of the Oklahoma Statutes.

SECTION 5. This act shall become effective November 1, 2020.

Passed the House of Representatives the 11th day of March, 2020.

Presiding Officer of the House
of Representatives

Passed the Senate the ____ day of _____, 2020.

Presiding Officer of the Senate