

1 **SENATE FLOOR VERSION**

2 April 9, 2019

3 ENGROSSED HOUSE
4 BILL NO. 1093

By: Osburn and Tadlock of the
House

5 and

6 Pugh of the Senate

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

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

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

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

23 B. In a criminal case in which the state intends to offer
24 evidence under this rule, the attorney for the state shall disclose

1 the evidence to the defendant, including statements of witnesses or
2 a summary of the substance of any testimony that is expected to be
3 offered, at least fifteen (15) days before the commencement of trial
4 or at such later time as the court may allow for good cause.

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

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

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

14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
15 April 9, 2019 - DO PASS

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