

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   HOUSE BILL 1935

By: Sterling of the House

5                   and

6                   **Thompson** of the Senate

9                   AS INTRODUCED

10                  An Act relating to criminal procedure; amending 22  
11                  O.S. 2021, Section 152, as last amended by Section 1,  
12                  Chapter 338, O.S.L. 2024 (22 O.S. Supp. 2024, Section  
13                  152), which relates to limitations; modifying crimes  
14                  that may be prosecuted within certain limitation; and  
15                  providing an effective date.

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

17                  SECTION 1.       AMENDATORY       22 O.S. 2021, Section 152, as last  
18                  amended by Section 1, Chapter 338, O.S.L. 2024 (22 O.S. Supp. 2024,  
19                  Section 152), is amended to read as follows:

20                  Section 152. A. Prosecutions for the crimes of bribery,  
21                  embezzlement of public money, bonds, securities, assets or property  
22                  of the state or any county, school district, municipality or other  
23                  subdivision thereof, or of any misappropriation of public money,  
24                  bonds, securities, assets or property of the state or any county,  
                        school district, municipality or other subdivision thereof,

1 falsification of public records of the state or any county, school  
2 district, municipality or other subdivision thereof, and conspiracy  
3 to defraud the State of Oklahoma or any county, school district,  
4 municipality or other subdivision thereof in any manner or for any  
5 purpose shall be commenced within seven (7) years after the  
6 discovery of the crime; provided, however, prosecutions for the  
7 crimes of embezzlement or misappropriation of public money, bonds,  
8 securities, assets or property of any school district, including  
9 those relating to student activity funds, or the crime of  
10 falsification of public records of any independent school district,  
11 the crime of criminal conspiracy, the crime of embezzlement pursuant  
12 to Sections 1451 through 1461 of Title 21 of the Oklahoma Statutes,  
13 the crime of False Personation or Identity Theft pursuant to  
14 Sections 1531 through 1533.3 of Title 21 of the Oklahoma Statutes,  
15 the financial exploitation of a vulnerable adult pursuant to  
16 Sections 843.1, 843.3 and 843.4 of Title 21 of the Oklahoma  
17 Statutes, or Medicaid fraud pursuant to Section 1005 of Title 56 of  
18 the Oklahoma Statutes, shall be commenced within five (5) years  
19 after the discovery of the crime.

20           B. Prosecutions for criminal violations of any state income tax  
21 laws shall be commenced within five (5) years after the commission  
22 of such violation.

23           C. 1. Prosecutions for sexual crimes against children,  
24 specifically rape or forcible sodomy, sodomy, lewd or indecent

1 | proposals or acts against children, involving minors in pornography  
2 | pursuant to Section 886, 888, 1111, 1111.1, 1113, 1114, 1021.2,  
3 | 1021.3, 1040.12a or 1123 of Title 21 of the Oklahoma Statutes, ~~child~~  
4 | ~~abuse pursuant to any offense prohibited by~~ Section 843.5 of Title  
5 | 21 of the Oklahoma Statutes, sexual abuse of a vulnerable adult  
6 | pursuant to Section 843.1 of Title 21 of the Oklahoma Statutes,  
7 | child trafficking pursuant to Section 866 of Title 21 of the  
8 | Oklahoma Statutes, ~~and~~ nonconsensual dissemination of private sexual  
9 | images pursuant to Section 1040.13b of Title 21, and failure to  
10 | report abuse or neglect pursuant to Section 1-2-101 of Title 10A of  
11 | the Oklahoma Statutes shall be commenced by the forty-fifth birthday  
12 | of the alleged victim. Prosecutions for such crimes committed  
13 | against victims eighteen (18) years of age or older shall be  
14 | commenced within twenty (20) years after the discovery of the crime.  
15 | As used in this paragraph, "discovery" means the date that a  
16 | physical or sexually related crime involving a victim eighteen (18)  
17 | years of age or older is reported to a law enforcement agency. Any  
18 | offense for which the prosecution is not time-barred upon the  
19 | effective date of this act shall be retroactively subject to the  
20 | provisions of this subsection.

21 |       2. However, prosecutions for the crimes listed in paragraph 1  
22 | of this subsection may be commenced at any time after the commission  
23 | of the offense if:

24 |

- 1           a. physical evidence is collected and preserved that is  
2           capable of being tested to obtain a profile from  
3           deoxyribonucleic acid (DNA), and  
4           b. probable cause as to the identity of the offender is  
5           subsequently established through the use of a DNA  
6           profile using evidence listed in subparagraph a of  
7           this paragraph, or  
8           c. the accused person has provided a confession or  
9           admission related to the crime.

10          3. No prosecution under this subsection shall be based upon the  
11       memory of the victim that has been recovered through psychotherapy  
12       unless there is some evidence independent of such repressed memory.

13          4. Any person who knowingly and willfully makes a false claim  
14       pursuant to this subsection or a claim that the person knows lacks  
15       factual foundation may be reported to local law enforcement for  
16       criminal investigation and, upon conviction, shall be guilty of a  
17       felony.

18          D. Prosecutions for criminal violations of any provision of the  
19       Oklahoma Wildlife Conservation Code shall be commenced within three  
20       (3) years after the commission of such offense.

21          E. Prosecutions for the crime of criminal fraud or workers'  
22       compensation fraud pursuant to Section 1541.1, 1541.2, 1662 or 1663  
23       of Title 21 of the Oklahoma Statutes shall commence within three (3)  
24

1 years after the discovery of the crime, but in no event greater than  
2 seven (7) years after the commission of the crime.

3 F. Prosecution for the crime of false or bogus check pursuant  
4 to Section 1541.1, 1541.2, 1541.3 or 1541.4 of Title 21 of the  
5 Oklahoma Statutes shall be commenced within five (5) years after the  
6 commission of such offense.

7 G. Prosecution for the crime of solicitation for murder in the  
8 first degree pursuant to Section 701.16 of Title 21 of the Oklahoma  
9 Statutes shall be commenced within seven (7) years after the  
10 discovery of the crime. For purposes of this subsection,  
11 "discovery" means the date upon which the crime is made known to  
12 anyone other than a person involved in the solicitation.

13 H. In all other cases a prosecution for a public offense must  
14 be commenced within three (3) years after its commission.

15 I. Prosecution for the crime of accessory after the fact must  
16 be commenced within the same statute of limitations as that of the  
17 felony for which the person acted as an accessory.

18 J. Prosecution for the crime of arson pursuant to Section 1401,  
19 1402, 1403, 1404 or 1405 of Title 21 of the Oklahoma Statutes shall  
20 be commenced within seven (7) years after the commission of the  
21 crime.

22 K. Prosecutions for criminal violations in which a deadly  
23 weapon is used to commit a felony or prosecutions for criminal  
24 violations in which a deadly weapon is used in an attempt to commit

1      a felony shall be commenced within seven (7) years after the  
2      commission of the crime.

3            L. Prosecutions for the crime of human trafficking pursuant to  
4      Section 748 of Title 21 of the Oklahoma Statutes shall be commenced  
5      within three (3) years after discovery of the crime. For purposes  
6      of this subsection, "discovery" means the date upon which the crime  
7      is reported to a law enforcement agency.

8            SECTION 2. This act shall become effective November 1, 2025.

9  
10           COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY  
11           OVERSIGHT, dated 02/27/2025 - DO PASS, As Coauthored.  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24