

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB1470</b>
<b>Version:</b>	<b>ENGR</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Rep. Echols</b>
<b>Date:</b>	<b>4/2/2024</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

SB 1470 creates the Oklahoma Survivors' Act. The measure directs the court to consider as a mitigating factor that the person has been abused physically, sexually, or psychologically by the person's sexual partner, family member or member of the household, the trafficker of the person, or other individual who used the person for financial gain when sentencing or accepting a plea of guilty from a person who is a survivor of domestic violence and has been charged with a crime. The defendant must provide to the court evidence corroborating that the defendant was at the time of the offense, a victim of domestic violence and at least one piece of documentary evidence that is a court record, presentence report, social services record, hospital record, sworn statement from a witness to the domestic violence, law enforcement record, domestic incident report or protective order.

If the court finds by a preponderance of the evidence that the defendant was a survivor of domestic abuse, the court is to depart from the applicable sentence. The measure provides the sentence ranges which the court may impose. The measure prohibits persons convicted of certain offenses from being considered for a reduction due to domestic abuse.

The measure allows a person who is currently in the custody of the Department of Corrections and was a survivor of domestic abuse to request a hearing for a reduction in sentence.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

This measure directs the court to consider certain circumstances as a mitigating factor when sentencing for domestic violence crimes. The measure also prohibits persons convicted of certain offenses from being considered for a reduction in sentence. Persons already in the custody of the Department of Corrections (DOC) for such crimes will be eligible to request a hearing for a reduction in sentence. In its current form, SB1470 is not anticipated to have a material impact on state budget or appropriations.

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**Other Considerations**

None.

