

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1460

By: West (Tammy)

6 AS INTRODUCED

7 An Act relating to criminal procedure; amending 22  
8 O.S. 2021, Sections 991a, as last amended by Section  
9 1, Chapter 61, O.S.L. 2024, 991c and 991d (22 O.S.  
10 Supp. 2024, Section 991a), which relate to sentencing  
11 powers of the court, deferred sentences and  
12 supervision fees; deleting the assessment and  
13 collection of supervision fees by district attorneys;  
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 22 O.S. 2021, Section 991a, as

17 last amended by Section 1, Chapter 61, O.S.L. 2024 (22 O.S. Supp.  
18 2024, Section 991a), is amended to read as follows:

19 Section 991a. A. Except as otherwise provided in the Elderly  
20 and Incapacitated Victim's Protection Program, when a defendant is  
21 convicted of a crime and no death sentence is imposed, the court  
22 shall either:

23 1. Suspend the execution of sentence in whole or in part, with  
24 or without probation. The court, in addition, may order the  
convicted defendant at the time of sentencing or at any time during  
the suspended sentence to do one or more of the following:

- 1           a. to provide restitution to the victim as provided by  
2           Section 991f et seq. of this title or according to a  
3           schedule of payments established by the sentencing  
4           court, together with interest upon any pecuniary sum  
5           at the rate of twelve percent (12%) per annum, if the  
6           defendant agrees to pay such restitution or, in the  
7           opinion of the court, if the defendant is able to pay  
8           such restitution without imposing manifest hardship on  
9           the defendant or the immediate family and if the  
10          extent of the damage to the victim is determinable  
11          with reasonable certainty,
- 12         b. to reimburse any state agency for amounts paid by the  
13          state agency for hospital and medical expenses  
14          incurred by the victim or victims, as a result of the  
15          criminal act for which such person was convicted,  
16          which reimbursement shall be made directly to the  
17          state agency, with interest accruing thereon at the  
18          rate of twelve percent (12%) per annum,
- 19         c. to engage in a term of community service without  
20          compensation, according to a schedule consistent with  
21          the employment and family responsibilities of the  
22          person convicted,
- 23         d. to pay a reasonable sum into any trust fund  
24          established pursuant to the provisions of Sections 176

1           through 180.4 of Title 60 of the Oklahoma Statutes and  
2           which provides restitution payments by convicted  
3           defendants to victims of crimes committed within this  
4           state wherein such victim has incurred a financial  
5           loss,

- 6           e. to confinement in the county jail for a period not to  
7           exceed six (6) months,
- 8           f. to confinement as provided by law together with a term  
9           of post-imprisonment community supervision for not  
10          less than three (3) years of the total term allowed by  
11          law for imprisonment, with or without restitution;  
12          provided, however, the authority of this provision is  
13          limited to Section 843.5 of Title 21 of the Oklahoma  
14          Statutes when the offense involved sexual abuse or  
15          sexual exploitation; Sections 681, 741 and 843.1 of  
16          Title 21 of the Oklahoma Statutes when the offense  
17          involved sexual abuse or sexual exploitation; and  
18          Sections 865 et seq., 885, 886, 888, 891, 1021,  
19          1021.2, 1021.3, 1040.13a, 1087, 1088, 1111.1, 1115 and  
20          1123 of Title 21 of the Oklahoma Statutes,
- 21          g. to repay the reward or part of the reward paid by a  
22          local certified crime stoppers program and the  
23          Oklahoma Reward System. In determining whether the  
24          defendant shall repay the reward or part of the

1 reward, the court shall consider the ability of the  
2 defendant to make the payment, the financial hardship  
3 on the defendant to make the required payment and the  
4 importance of the information to the prosecution of  
5 the defendant as provided by the arresting officer or  
6 the district attorney with due regard for the  
7 confidentiality of the records of the local certified  
8 crime stoppers program and the Oklahoma Reward System.  
9 The court shall assess this repayment against the  
10 defendant as a cost of prosecution. The term  
11 "certified" means crime stoppers organizations that  
12 annually meet the certification standards for crime  
13 stoppers programs established by the Oklahoma Crime  
14 Stoppers Association to the extent those standards do  
15 not conflict with state statutes. The term "court"  
16 refers to all municipal and district courts within  
17 this state. The "Oklahoma Reward System" means the  
18 reward program established by Section 150.18 of Title  
19 74 of the Oklahoma Statutes,

- 20 h. to reimburse the Oklahoma State Bureau of  
21 Investigation for costs incurred by that agency during  
22 its investigation of the crime for which the defendant  
23 pleaded guilty, nolo contendere or was convicted  
24 including compensation for laboratory, technical or

1                   investigation services performed by the Bureau if, in  
2                   the opinion of the court, the defendant is able to pay  
3                   without imposing manifest hardship on the defendant,  
4                   and if the costs incurred by the Bureau during the  
5                   investigation of the defendant's case may be  
6                   determined with reasonable certainty,

- 7                   i. to reimburse the Oklahoma State Bureau of  
8                   Investigation and any authorized law enforcement  
9                   agency for all costs incurred by that agency for  
10                  cleaning up an illegal drug laboratory site for which  
11                  the defendant pleaded guilty, nolo contendere or was  
12                  convicted. The court clerk shall collect the amount  
13                  and may retain five percent (5%) of such monies to be  
14                  deposited in the Court Clerk's Revolving Fund to cover  
15                  administrative costs and shall remit the remainder to  
16                  the Oklahoma State Bureau of Investigation to be  
17                  deposited in the OSBI Revolving Fund established by  
18                  Section 150.19a of Title 74 of the Oklahoma Statutes  
19                  or to the general fund wherein the other law  
20                  enforcement agency is located,

- 21                  j. to pay a reasonable sum to the Crime Victims  
22                  Compensation Board, created by Section 142.2 et seq.  
23                  of Title 21 of the Oklahoma Statutes, for the benefit  
24                  of crime victims,

- 1           k. to reimburse the court fund for amounts paid to court-  
2           appointed attorneys for representing the defendant in  
3           the case in which the person is being sentenced,  
4           l. to participate in an assessment and evaluation by an  
5           assessment agency or assessment personnel certified by  
6           the Department of Mental Health and Substance Abuse  
7           Services pursuant to Section 3-460 of Title 43A of the  
8           Oklahoma Statutes and, as determined by the  
9           assessment, participate in an alcohol and drug  
10          substance abuse course or treatment program or both,  
11          pursuant to Sections 3-452 and 3-453 of Title 43A of  
12          the Oklahoma Statutes, or as ordered by the court,  
13          m. to be placed in a victims impact panel program, as  
14           defined in subsection H of this section, or  
15           victim/offender reconciliation program and payment of  
16           a fee to the program of Seventy-five Dollars (\$75.00)  
17           as set by the governing authority of the program to  
18           offset the cost of participation by the defendant.  
19           Provided, each victim/offender reconciliation program  
20           shall be required to obtain a written consent form  
21           voluntarily signed by the victim and defendant that  
22           specifies the methods to be used to resolve the  
23           issues, the obligations and rights of each person and  
24           the confidentiality of the proceedings. Volunteer

mediators and employees of a victim/offender  
reconciliation program shall be immune from liability  
and have rights of confidentiality as provided in  
Section 1805 of Title 12 of the Oklahoma Statutes,  
n. to install, at the expense of the defendant, an  
ignition interlock device approved by the Board of  
Tests for Alcohol and Drug Influence. The device  
shall be installed upon every motor vehicle operated  
by the defendant, and the court shall require that a  
notation of this restriction be affixed to the  
defendant's driver license. The restriction shall  
remain on the driver license not exceeding two (2)  
years to be determined by the court. The restriction  
may be modified or removed only by order of the court  
and notice of any modification order shall be given to  
Service Oklahoma. Upon the expiration of the period  
for the restriction, Service Oklahoma shall remove the  
restriction without further court order. Failure to  
comply with the order to install an ignition interlock  
device or operating any vehicle without a device  
during the period of restriction shall be a violation  
of the sentence and may be punished as deemed proper  
by the sentencing court. As used in this paragraph,  
"ignition interlock device" means a device that,

1 without tampering or intervention by another person,  
2 would prevent the defendant from operating a motor  
3 vehicle if the defendant has a blood or breath alcohol  
4 concentration of two-hundredths (0.02) or greater,  
5 o. to be confined by electronic monitoring administered  
6 and supervised by the Department of Corrections or a  
7 community sentence provider, and payment of a  
8 monitoring fee to the supervising authority, not to  
9 exceed Three Hundred Dollars (\$300.00) per month. Any  
10 fees collected pursuant to this subparagraph shall be  
11 deposited with the appropriate supervising authority.  
12 Any willful violation of an order of the court for the  
13 payment of the monitoring fee shall be a violation of  
14 the sentence and may be punished as deemed proper by  
15 the sentencing court. As used in this paragraph,  
16 "electronic monitoring" means confinement of the  
17 defendant within a specified location or locations  
18 with supervision by means of an electronic device  
19 approved by the Department of Corrections which is  
20 designed to detect if the defendant is in the court-  
21 ordered location at the required times and which  
22 records violations for investigation by a qualified  
23 supervisory agency or person,

- 1           p. to perform one or more courses of treatment, education  
2           or rehabilitation for any conditions, behaviors,  
3           deficiencies or disorders which may contribute to  
4           criminal conduct including but not limited to alcohol  
5           and substance abuse, mental health, emotional health,  
6           physical health, propensity for violence, antisocial  
7           behavior, personality or attitudes, deviant sexual  
8           behavior, child development, parenting assistance, job  
9           skills, vocational-technical skills, domestic  
10          relations, literacy, education or any other  
11          identifiable deficiency which may be treated  
12          appropriately in the community and for which a  
13          certified provider or a program recognized by the  
14          court as having significant positive impact exists in  
15          the community. Any treatment, education or  
16          rehabilitation provider required to be certified  
17          pursuant to law or rule shall be certified by the  
18          appropriate state agency or a national organization,  
19          q. to submit to periodic testing for alcohol,  
20          intoxicating substance or controlled dangerous  
21          substances by a qualified laboratory,  
22          r. to pay a fee or costs for treatment, education,  
23          supervision, participation in a program or any  
24

- 1 combination thereof as determined by the court, based  
2 upon the defendant's ability to pay the fees or costs,
- 3 s. to be supervised by a Department of Corrections  
4 employee, a private supervision provider or other  
5 person designated by the court,
- 6 t. to obtain positive behavior modeling by a trained  
7 mentor,
- 8 u. to serve a term of confinement in a restrictive  
9 housing facility available in the community,
- 10 v. to serve a term of confinement in the county jail at  
11 night or during weekends pursuant to Section 991a-2 of  
12 this title or for work release,
- 13 w. to obtain employment or participate in employment-  
14 related activities,
- 15 x. to participate in mandatory day reporting to  
16 facilities or persons for services, payments, duties  
17 or person-to-person contacts as specified by the  
18 court,
- 19 y. to pay day fines not to exceed fifty percent (50%) of  
20 the net wages earned. For purposes of this paragraph,  
21 "day fine" means the offender is ordered to pay an  
22 amount calculated as a percentage of net daily wages  
23 earned. The day fine shall be paid to the local  
24 community sentencing system as reparation to the

- 1                   community. Day fines shall be used to support the  
2                   local system,
- 3       z. to submit to blood or saliva testing as required by  
4                   subsection I of this section,
- 5       aa. to repair or restore property damaged by the  
6                   defendant's conduct, if the court determines the  
7                   defendant possesses sufficient skill to repair or  
8                   restore the property and the victim consents to the  
9                   repairing or restoring of the property,
- 10      bb. to restore damaged property in kind or payment of out-  
11                  of-pocket expenses to the victim, if the court is able  
12                  to determine the actual out-of-pocket expenses  
13                  suffered by the victim,
- 14      cc. to attend a victim-offender reconciliation program if  
15                  the victim agrees to participate and the offender is  
16                  deemed appropriate for participation,
- 17      dd. in the case of a person convicted of prostitution  
18                  pursuant to Section 1029 of Title 21 of the Oklahoma  
19                  Statutes, require such person to receive counseling  
20                  for the behavior which may have caused such person to  
21                  engage in prostitution activities. Such person may be  
22                  required to receive counseling in areas including but  
23                  not limited to alcohol and substance abuse, sexual
- 24

1 behavior problems or domestic abuse or child abuse  
2 problems,

3 ee. in the case of a sex offender sentenced after November  
4 1, 1989, and required by law to register pursuant to  
5 the Sex Offender Registration Act, the court shall  
6 require the person to comply with sex offender  
7 specific rules and conditions of supervision  
8 established by the Department of Corrections and  
9 require the person to participate in a treatment  
10 program designed for the treatment of sex offenders  
11 during the period of time while the offender is  
12 subject to supervision by the Department of  
13 Corrections. The treatment program shall include  
14 polygraph examinations specifically designed for use  
15 with sex offenders for purposes of supervision and  
16 treatment compliance, and shall be administered not  
17 less than each six (6) months during the period of  
18 supervision. The examination shall be administered by  
19 a certified licensed polygraph examiner. The  
20 treatment program must be approved by the Department  
21 of Corrections or the Department of Mental Health and  
22 Substance Abuse Services. Such treatment shall be at  
23 the expense of the defendant based on the defendant's  
24 ability to pay,

1           ff. in addition to other sentencing powers of the court,  
2           the court in the case of a defendant being sentenced  
3           for a felony conviction for a violation of Section 2-  
4           402 of Title 63 of the Oklahoma Statutes which  
5           involves marijuana may require the person to  
6           participate in a drug court program, if available. If  
7           a drug court program is not available, the defendant  
8           may be required to participate in a community  
9           sanctions program, if available,

10          gg. in the case of a person convicted of any false or  
11           bogus check violation, as defined in Section 1541.4 of  
12           Title 21 of the Oklahoma Statutes, impose a fee of  
13           Twenty-five Dollars (\$25.00) to the victim for each  
14           check, and impose a bogus check fee to be paid to the  
15           district attorney. The bogus check fee paid to the  
16           district attorney shall be equal to the amount  
17           assessed as court costs plus Twenty-five Dollars  
18           (\$25.00) for each check upon filing of the case in  
19           district court. This money shall be deposited in the  
20           Bogus Check Restitution Program Fund as established in  
21           subsection B of Section 114 of this title.

22           Additionally, the court may require the offender to  
23           pay restitution and bogus check fees on any other

24

1                   bogus check or checks that have been submitted to the  
2                   Bogus Check Restitution Program, and  
3                   hh.       any other provision specifically ordered by the court.

4                   However, any such order for restitution, community service,  
5                   payment to a local certified crime stoppers program, payment to the  
6                   Oklahoma Reward System or confinement in the county jail, or a  
7                   combination thereof, shall be made in conjunction with probation and  
8                   shall be made a condition of the suspended sentence.

9                   ~~However, unless under the supervision of the district attorney,~~  
10                  ~~the offender shall be required to pay Forty Dollars (\$40.00) per~~  
11                  ~~month to the district attorney during the first two (2) years of~~  
12                  ~~probation to compensate the district attorney for the costs incurred~~  
13                  ~~during the prosecution of the offender and for the additional work~~  
14                  ~~of verifying the compliance of the offender with the rules and~~  
15                  ~~conditions of his or her probation. The district attorney may waive~~  
16                  ~~any part of this requirement in the best interests of justice. The~~  
17                  ~~court shall not waive, suspend, defer or dismiss the costs of~~  
18                  ~~prosecution in its entirety. However, if the court determines that~~  
19                  ~~a reduction in the fine, costs and costs of prosecution is~~  
20                  ~~warranted, the court shall equally apply the same percentage~~  
21                  ~~reduction to the fine, costs and costs of prosecution owed by the~~  
22                  ~~offender;~~

23                  2. Impose a fine prescribed by law for the offense, with or  
24                  without probation or commitment and with or without restitution or

1 service as provided for in this section, Section 991a-4.1 of this  
2 title or Section 227 of Title 57 of the Oklahoma Statutes;

3       3. Commit such person for confinement provided for by law with  
4 or without restitution as provided for in this section;

5       4. Order the defendant to reimburse the Oklahoma State Bureau  
6 of Investigation for costs incurred by that agency during its  
7 investigation of the crime for which the defendant pleaded guilty,  
8 nolo contendere or was convicted including compensation for  
9 laboratory, technical or investigation services performed by the  
10 Bureau if, in the opinion of the court, the defendant is able to pay  
11 without imposing manifest hardship on the defendant, and if the  
12 costs incurred by the Bureau during the investigation of the  
13 defendant's case may be determined with reasonable certainty;

14       5. Order the defendant to reimburse the Oklahoma State Bureau  
15 of Investigation for all costs incurred by that agency for cleaning  
16 up an illegal drug laboratory site for which the defendant pleaded  
17 guilty, nolo contendere or was convicted. The court clerk shall  
18 collect the amount and may retain five percent (5%) of such monies  
19 to be deposited in the Court Clerk's Revolving Fund to cover  
20 administrative costs and shall remit the remainder to the Oklahoma  
21 State Bureau of Investigation to be deposited in the OSBI Revolving  
22 Fund established by Section 150.19a of Title 74 of the Oklahoma  
23 Statutes;

24

1       6. In the case of nonviolent felony offenses, sentence such  
2 person to the Community Service Sentencing Program;

3       7. In addition to the other sentencing powers of the court, in  
4 the case of a person convicted of operating or being in control of a  
5 motor vehicle while the person was under the influence of alcohol,  
6 other intoxicating substance or a combination of alcohol or another  
7 intoxicating substance, or convicted of operating a motor vehicle  
8 while the ability of the person to operate such vehicle was impaired  
9 due to the consumption of alcohol, require such person:

10      a. to participate in an alcohol and drug assessment and  
11            evaluation by an assessment agency or assessment  
12            personnel certified by the Department of Mental Health  
13            and Substance Abuse Services pursuant to Section 3-460  
14            of Title 43A of the Oklahoma Statutes and, as  
15            determined by the assessment, participate in an  
16            alcohol and drug substance abuse course or treatment  
17            program or both, pursuant to Sections 3-452 and 3-453  
18            of Title 43A of the Oklahoma Statutes,

19      b. to attend a victims impact panel program, as defined  
20            in subsection H of this section, and to pay a fee of  
21            Seventy-five Dollars (\$75.00) as set by the governing  
22            authority of the program and approved by the court, to  
23            the program to offset the cost of participation by the

defendant, if in the opinion of the court the defendant has the ability to pay such fee, to both participate in the alcohol and drug substance abuse course or treatment program, pursuant to subparagraph a of this paragraph and attend a victims impact panel program, pursuant to subparagraph b of this paragraph,

to install, at the expense of the person, an ignition interlock device approved by the Board of Tests for Alcohol and Drug Influence, upon every motor vehicle operated by such person and to require that a notation of this restriction be affixed to the person's driver license at the time of reinstatement of the license. The restriction shall remain on the driver license for such period as the court shall determine. The restriction may be modified or removed by order of the court and notice of the order shall be given to Service Oklahoma. Upon the expiration of the period for the restriction, Service Oklahoma shall remove the restriction without further court order. Failure to comply with the order to install an ignition interlock device or operating any vehicle without such device during the period of restriction shall be a violation

1                   of the sentence and may be punished as deemed proper  
2                   by the sentencing court, or

3         e. beginning January 1, 1993, to submit to electronically  
4                   monitored home detention administered and supervised  
5                   by the Department of Corrections, and to pay to the  
6                   Department a monitoring fee, not to exceed Seventy-  
7                   five Dollars (\$75.00) a month, to the Department of  
8                   Corrections, if in the opinion of the court the  
9                   defendant has the ability to pay such fee. Any fees  
10                  collected pursuant to this subparagraph shall be  
11                  deposited in the Department of Corrections Revolving  
12                  Fund. Any order by the court for the payment of the  
13                  monitoring fee, if willfully disobeyed, may be  
14                  enforced as an indirect contempt of court;

15         8. In addition to the other sentencing powers of the court, in  
16                  the case of a person convicted of prostitution pursuant to Section  
17                  1029 of Title 21 of the Oklahoma Statutes, require such person to  
18                  receive counseling for the behavior which may have caused such  
19                  person to engage in prostitution activities. Such person may be  
20                  required to receive counseling in areas including but not limited to  
21                  alcohol and substance abuse, sexual behavior problems or domestic  
22                  abuse or child abuse problems;

23         9. In addition to the other sentencing powers of the court, in  
24                  the case of a person convicted of any crime related to domestic

1 abuse, as defined in Section 60.1 of this title, the court may  
2 require the defendant to undergo the treatment or participate in the  
3 counseling services necessary to bring about the cessation of  
4 domestic abuse against the victim. The defendant may be required to  
5 pay all or part of the cost of the treatment or counseling services;

6 10. In addition to the other sentencing powers of the court,  
7 the court, in the case of a sex offender sentenced after November 1,  
8 1989, and required by law to register pursuant to the Sex Offenders  
9 Registration Act, shall require the defendant to participate in a  
10 treatment program designed specifically for the treatment of sex  
11 offenders, if available. The treatment program will include  
12 polygraph examinations specifically designed for use with sex  
13 offenders for the purpose of supervision and treatment compliance,  
14 provided the examination is administered by a certified licensed  
15 polygraph examiner. The treatment program must be approved by the  
16 Department of Corrections or the Department of Mental Health and  
17 Substance Abuse Services. Such treatment shall be at the expense of  
18 the defendant based on the ability of the defendant to pay;

19 11. In addition to the other sentencing powers of the court,  
20 the court, in the case of a person convicted of abuse or neglect of  
21 a child, as defined in Section 1-1-105 of Title 10A of the Oklahoma  
22 Statutes, may require the person to undergo treatment or to  
23 participate in counseling services. The defendant may be required

1 | to pay all or part of the cost of the treatment or counseling  
2 | services;

3 |       12. In addition to the other sentencing powers of the court,  
4 | the court, in the case of a person convicted of cruelty to animals  
5 | pursuant to Section 1685 of Title 21 of the Oklahoma Statutes, may  
6 | require the person to pay restitution to animal facilities for  
7 | medical care and any boarding costs of victimized animals;

8 |       13. In addition to the other sentencing powers of the court, a  
9 | sex offender who is habitual or aggravated as defined by Section 584  
10 | of Title 57 of the Oklahoma Statutes and who is required to register  
11 | as a sex offender pursuant to the Sex Offenders Registration Act  
12 | shall be supervised by the Department of Corrections for the  
13 | duration of the registration period and shall be assigned to a  
14 | global position monitoring device by the Department of Corrections  
15 | for the duration of the registration period. The cost of such  
16 | monitoring device shall be reimbursed by the offender;

17 |       14. In addition to the other sentencing powers of the court, in  
18 | the case of a sex offender who is required by law to register  
19 | pursuant to the Sex Offenders Registration Act, the court may  
20 | prohibit the person from accessing or using any Internet social  
21 | networking website that has the potential or likelihood of allowing  
22 | the sex offender to have contact with any child who is under the age  
23 | of eighteen (18) years;

1       15. In addition to the other sentencing powers of the court, in  
2 the case of a sex offender who is required by law to register  
3 pursuant to the Sex Offenders Registration Act, the court shall  
4 require the person to register any electronic mail address  
5 information, instant message, chat or other Internet communication  
6 name or identity information that the person uses or intends to use  
7 while accessing the Internet or used for other purposes of social  
8 networking or other similar Internet communication; or

9       16. In addition to the other sentencing powers of the court,  
10 and pursuant to the terms and conditions of a written plea  
11 agreement, the court may prohibit the defendant from entering,  
12 visiting or residing within the judicial district in which the  
13 defendant was convicted until after completion of his or her  
14 sentence; provided, however, the court shall ensure that the  
15 defendant has access to those services or programs for which the  
16 defendant is required to participate as a condition of probation.  
17 When seeking to enter the prohibited judicial district for personal  
18 business not related to his or her criminal case, the defendant  
19 shall be required to obtain approval by the court.

20       B. Notwithstanding any other provision of law, any person who  
21 is found guilty of a violation of any provision of Section 761 or  
22 11-902 of Title 47 of the Oklahoma Statutes or any person pleading  
23 guilty or nolo contendere for a violation of any provision of such  
24 sections shall be ordered to participate in, prior to sentencing, an

1 alcohol and drug assessment and evaluation by an assessment agency  
2 or assessment personnel certified by the Department of Mental Health  
3 and Substance Abuse Services for the purpose of evaluating the  
4 receptivity to treatment and prognosis of the person. The court  
5 shall order the person to reimburse the agency or assessor for the  
6 evaluation. The fee shall be the amount provided in subsection C of  
7 Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation  
8 shall be conducted at a certified assessment agency, the office of a  
9 certified assessor or at another location as ordered by the court.  
10 The agency or assessor shall, within seventy-two (72) hours from the  
11 time the person is assessed, submit a written report to the court  
12 for the purpose of assisting the court in its final sentencing  
13 determination. No person, agency or facility operating an alcohol  
14 and drug substance abuse evaluation program certified by the  
15 Department of Mental Health and Substance Abuse Services shall  
16 solicit or refer any person evaluated pursuant to this subsection  
17 for any treatment program or alcohol and drug substance abuse  
18 service in which such person, agency or facility has a vested  
19 interest; however, this provision shall not be construed to prohibit  
20 the court from ordering participation in or any person from  
21 voluntarily utilizing a treatment program or alcohol and drug  
22 substance abuse service offered by such person, agency or facility.  
23 If a person is sentenced to the custody of the Department of  
24 Corrections and the court has received a written evaluation report

1 pursuant to this subsection, the report shall be furnished to the  
2 Department of Corrections with the judgment and sentence. Any  
3 evaluation report submitted to the court pursuant to this subsection  
4 shall be handled in a manner which will keep such report  
5 confidential from the general public's review. Nothing contained in  
6 this subsection shall be construed to prohibit the court from  
7 ordering judgment and sentence in the event the defendant fails or  
8 refuses to comply with an order of the court to obtain the  
9 evaluation required by this subsection.

10       C. When sentencing a person convicted of a crime, the court  
11 shall first consider a program of restitution for the victim, as  
12 well as imposition of a fine or incarceration of the offender. The  
13 provisions of paragraph 1 of subsection A of this section shall not  
14 apply to defendants being sentenced upon their third or subsequent  
15 to their third conviction of a felony. Provided, the court may  
16 waive these prohibitions upon written application of the district  
17 attorney. Both the application and the waiver shall be made part of  
18 the record of the case.

19       D. When sentencing a person convicted of a crime, the judge  
20 shall consider any victim impact statements if submitted to the  
21 jury, or the judge in the event a jury is waived.

22       E. Probation, for purposes of subsection A of this section, is  
23 a procedure by which a defendant found guilty of a crime, whether  
24 upon a verdict or plea of guilty or upon a plea of nolo contendere,

1 | is released by the court subject to conditions imposed by the court  
2 | and subject to supervision by the Department of Corrections, a  
3 | private supervision provider or other person designated by the  
4 | court. Such supervision shall be initiated upon an order of  
5 | probation from the court, and shall not exceed two (2) years, unless  
6 | a petition alleging a violation of any condition of deferred  
7 | judgment or seeking revocation of the suspended sentence is filed  
8 | during the supervision, or as otherwise provided by law. In the  
9 | case of a person convicted of a sex offense, supervision shall begin  
10 | immediately upon release from incarceration or if parole is granted  
11 | and shall not be limited to two (2) years. Provided further, any  
12 | supervision provided for in this section may be extended for a  
13 | period not to exceed the expiration of the maximum term or terms of  
14 | the sentence upon a determination by the court or the Division of  
15 | Probation and Parole of the Department of Corrections that the best  
16 | interests of the public and the release will be served by an  
17 | extended period of supervision.

18 | F. The Department of Corrections, or such other agency as the  
19 | court may designate, shall be responsible for the monitoring and  
20 | administration of the restitution and service programs provided for  
21 | by subparagraphs a, c and d of paragraph 1 of subsection A of this  
22 | section, and shall ensure that restitution payments are forwarded to  
23 | the victim and that service assignments are properly performed.

24 |

1       G. 1. The Department of Corrections is hereby authorized,  
2 subject to funds available through appropriation by the Legislature,  
3 to contract with counties for the administration of county Community  
4 Service Sentencing Programs.

5       2. Any offender eligible to participate in the Program pursuant  
6 to this section shall be eligible to participate in a county  
7 Program; provided, participation in county-funded Programs shall not  
8 be limited to offenders who would otherwise be sentenced to  
9 confinement with the Department of Corrections.

10      3. The Department shall establish criteria and specifications  
11 for contracts with counties for such Programs. A county may apply  
12 to the Department for a contract for a county-funded Program for a  
13 specific period of time. The Department shall be responsible for  
14 ensuring that any contracting county complies in full with  
15 specifications and requirements of the contract. The contract shall  
16 set appropriate compensation to the county for services to the  
17 Department.

18      4. The Department is hereby authorized to provide technical  
19 assistance to any county in establishing a Program, regardless of  
20 whether the county enters into a contract pursuant to this  
21 subsection. Technical assistance shall include appropriate  
22 staffing, development of community resources, sponsorship,  
23 supervision and any other requirements.

1       5. The Department shall annually make a report to the Governor,  
2 the President Pro Tempore of the Senate and the Speaker of the House  
3 on the number of such Programs, the number of participating  
4 offenders, the success rates of each Program according to criteria  
5 established by the Department and the costs of each Program.

6       H. As used in this section:

7       1. "Ignition interlock device" means a device that, without  
8 tampering or intervention by another person, would prevent the  
9 defendant from operating a motor vehicle if the defendant has a  
10 blood or breath alcohol concentration of two-hundredths (0.02) or  
11 greater;

12       2. "Electronically monitored home detention" means  
13 incarceration of the defendant within a specified location or  
14 locations with monitoring by means of a device approved by the  
15 Department of Corrections that detects if the person leaves the  
16 confines of any specified location; and

17       3. "Victims impact panel program" means a program conducted by  
18 a corporation registered with the Secretary of State in Oklahoma for  
19 the sole purpose of operating a victims impact panel program. The  
20 program shall include live presentations from presenters who will  
21 share personal stories with participants about how alcohol, drug  
22 abuse, the operation of a motor vehicle while using an electronic  
23 communication device or the illegal conduct of others has personally  
24 impacted the lives of the presenters. A victims impact panel

1 program shall be attended by persons who have committed the offense  
2 of driving, operating or being in actual physical control of a motor  
3 vehicle while under the influence of alcohol or other intoxicating  
4 substance, operating a motor vehicle while the ability of the person  
5 to operate such vehicle was impaired due to the consumption of  
6 alcohol or any other substance or operating a motor vehicle while  
7 using an electronic device or by persons who have been convicted of  
8 furnishing alcoholic beverage to persons under twenty-one (21) years  
9 of age, as provided in Sections 6-101 and 6-120 of Title 37A of the  
10 Oklahoma Statutes. Persons attending a victims impact panel program  
11 shall be required to pay a fee of Seventy-five Dollars (\$75.00) to  
12 the provider of the program. A certificate of completion shall be  
13 issued to the person upon satisfying the attendance and fee  
14 requirements of the victims impact panel program. The certificate  
15 of completion shall contain the business identification number of  
16 the program provider. A certified assessment agency, certified  
17 assessor or provider of an alcohol and drug substance abuse course  
18 shall be prohibited from providing a victims impact panel program  
19 and shall further be prohibited from having any proprietary or  
20 pecuniary interest in a victims impact panel program. The provider  
21 of the victims impact panel program shall carry general liability  
22 insurance and maintain an accurate accounting of all business  
23 transactions and funds received in relation to the victims impact  
24 panel program. Beginning October 1, 2020, and each October 1

1 thereafter, the provider of the victims impact panel program shall  
2 provide to the District Attorneys Council the following:

- 3 a. proof of registration with the Oklahoma Secretary of  
4 State,
- 5 b. proof of general liability insurance,
- 6 c. end-of-year financial statements prepared by a  
7 certified public accountant,
- 8 d. a copy of federal income tax returns filed with the  
Internal Revenue Service,
- 9 e. a registration fee of One Thousand Dollars  
(\$1,000.00). The registration fee shall be deposited  
in the District Attorneys Council Revolving Fund  
created in Section 215.28 of Title 19 of the Oklahoma  
Statutes, and
- 10 f. a statement certifying that the provider of the  
victims impact panel program has complied with all of  
the requirements set forth in this paragraph.

18 I. A person convicted of a felony offense or receiving any form  
19 of probation for an offense in which registration is required  
20 pursuant to the Sex Offenders Registration Act, shall submit to  
21 deoxyribonucleic acid (DNA) testing for law enforcement  
22 identification purposes in accordance with Section 150.27 of Title  
23 74 of the Oklahoma Statutes and the rules promulgated by the  
24 Oklahoma State Bureau of Investigation for the OSBI Combined DNA

1 Index System (CODIS) Database. Subject to the availability of  
2 funds, any person convicted of a misdemeanor offense of assault and  
3 battery, domestic abuse, stalking, possession of a controlled  
4 substance prohibited under the Uniform Controlled Dangerous  
5 Substances Act, outraging public decency, resisting arrest, escape  
6 or attempting to escape, eluding a police officer, Peeping Tom,  
7 pointing a firearm, threatening an act of violence, breaking and  
8 entering a dwelling place, destruction of property, negligent  
9 homicide or causing a personal injury accident while driving under  
10 the influence of any intoxicating substance, or any alien unlawfully  
11 present under federal immigration law, upon arrest, shall submit to  
12 DNA testing for law enforcement identification purposes in  
13 accordance with Section 150.27 of Title 74 of the Oklahoma Statutes  
14 and the rules promulgated by the Oklahoma State Bureau of  
15 Investigation for the OSBI Combined DNA Index System (CODIS)  
16 Database. Any defendant sentenced to probation shall be required to  
17 submit to testing within thirty (30) days of sentencing either to  
18 the Department of Corrections or to the county sheriff or other  
19 peace officer as directed by the court. Defendants who are  
20 sentenced to a term of incarceration shall submit to testing in  
21 accordance with Section 530.1 of Title 57 of the Oklahoma Statutes,  
22 for those defendants who enter the custody of the Department of  
23 Corrections or to the county sheriff, for those defendants sentenced  
24 to incarceration in a county jail. Convicted individuals who have

1 previously submitted to DNA testing under this section and for whom  
2 a valid sample is on file in the OSBI Combined DNA Index System  
3 (CODIS) Database at the time of sentencing shall not be required to  
4 submit to additional testing. Except as required by the Sex  
5 Offenders Registration Act, a deferred judgment does not require  
6 submission to DNA testing.

7 Any person who is incarcerated in the custody of the Department  
8 of Corrections after July 1, 1996, and who has not been released  
9 before January 1, 2006, shall provide a blood or saliva sample prior  
10 to release. Every person subject to DNA testing after January 1,  
11 2006, whose sentence does not include a term of confinement with the  
12 Department of Corrections shall submit a blood or saliva sample.  
13 Every person subject to DNA testing who is sentenced to unsupervised  
14 probation or otherwise not supervised by the Department of  
15 Corrections shall submit for blood or saliva testing to the sheriff  
16 of the sentencing county.

17 J. Samples of blood or saliva for DNA testing required by  
18 subsection I of this section shall be taken by employees or  
19 contractors of the Department of Corrections, peace officers, or the  
20 county sheriff or employees or contractors of the sheriff's office.  
21 The individuals shall be properly trained to collect blood or saliva  
22 samples. Persons collecting blood or saliva for DNA testing  
23 pursuant to this section shall be immune from civil liabilities  
24 arising from this activity. All collectors of DNA samples shall

1 ensure the collection of samples are mailed to the Oklahoma State  
2 Bureau of Investigation within ten (10) days of the time the subject  
3 appears for testing or within ten (10) days of the date the subject  
4 comes into physical custody to serve a term of incarceration. All  
5 collectors of DNA samples shall use sample kits provided by the OSBI  
6 and procedures promulgated by the OSBI. Persons subject to DNA  
7 testing who are not received at the Lexington Assessment and  
8 Reception Center shall be required to pay a fee of Fifteen Dollars  
9 (\$15.00) to the agency collecting the sample for submission to the  
10 OSBI Combined DNA Index System (CODIS) Database. Any fees collected  
11 pursuant to this subsection shall be deposited in the revolving  
12 account or the service fee account of the collection agency or  
13 department.

14       K. When sentencing a person who has been convicted of a crime  
15 that would subject that person to the provisions of the Sex  
16 Offenders Registration Act, neither the court nor the district  
17 attorney shall be allowed to waive or exempt such person from the  
18 registration requirements of the Sex Offenders Registration Act.

19           SECTION 2.       AMENDATORY       22 O.S. 2021, Section 991c, is  
20 amended to read as follows:

21           Section 991c. A. Upon a verdict or plea of guilty or upon a  
22 plea of nolo contendere, but before a judgment of guilt, the court  
23 may, without entering a judgment of guilt and with the consent of  
24 the defendant, defer further proceedings upon the specific

1 conditions prescribed by the court not to exceed a seven-year  
2 period, except as authorized under subsection B of this section.  
3 The court shall first consider restitution among the various  
4 conditions it may prescribe. The court may also consider ordering  
5 the defendant to:

6       1. Pay court costs;

7       2. Pay an assessment in lieu of any fine authorized by law for  
8 the offense;

9       3. Pay any other assessment or cost authorized by law;

10      4. Engage in a term of community service without compensation,  
11 according to a schedule consistent with the employment and family  
12 responsibilities of the defendant;

13      5. County jail confinement for a period not to exceed ninety  
14 (90) days or the maximum amount of jail time provided for the  
15 offense, if it is less than ninety (90) days;

16      6. Pay an amount as reimbursement for reasonable attorney fees,  
17 to be paid into the court fund, if a court-appointed attorney has  
18 been provided to the defendant;

19      7. Be supervised in the community for a period not to exceed  
20 eighteen (18) months, unless a petition alleging violation of any  
21 condition of deferred judgment is filed during the period of  
22 supervision. ~~As a condition of any supervision, the defendant shall~~  
23 ~~be required to pay a supervision fee of Forty Dollars (\$40.00) per~~  
24 ~~month. The supervision fee shall be waived in whole or part by the~~

1 ~~supervisory agency when the accused is indigent. Any fees collected~~  
2 ~~by the district attorney pursuant to this paragraph shall be~~  
3 ~~deposited in the General Revenue Fund of the State Treasury. No~~  
4 ~~person shall be denied supervision based solely on the inability of~~  
5 ~~the person to pay a fee;~~

6       8. Pay into the court fund a monthly amount not exceeding Forty  
7 Dollars (\$40.00) per month during any period during which the  
8 proceedings are deferred when the defendant is not to be supervised  
9 in the community. The total amount to be paid into the court fund  
10 shall be established by the court and shall not exceed the amount of  
11 the maximum fine authorized by law for the offense;

12       9. Make other reparations to the community or victim as  
13 required and deemed appropriate by the court;

14       10. Order any conditions which can be imposed for a suspended  
15 sentence pursuant to paragraph 1 of subsection A of Section 991a of  
16 this title; or

17       11. Any combination of the above provisions.

18       ~~However, unless under the supervision of the district attorney,~~  
19 ~~the offender shall be required to pay Forty Dollars (\$40.00) per~~  
20 ~~month to the district attorney during the first two (2) years of~~  
21 ~~probation to compensate the district attorney for the costs incurred~~  
22 ~~during the prosecution of the offender and for the additional work~~  
23 ~~of verifying the compliance of the offender with the rules and~~  
24 ~~conditions of his or her probation. The district attorney may waive~~

1   any part of this requirement in the best interests of justice. The  
2   court shall not waive, suspend, defer or dismiss the costs of  
3   prosecution in its entirety. However, if the court determines that  
4   a reduction in the fine, costs and costs of prosecution is  
5   warranted, the court shall equally apply the same percentage  
6   reduction to the fine, costs and costs of prosecution owed by the  
7   offender. Any fees collected by the district attorney pursuant to  
8   this paragraph shall be deposited in the General Revenue Fund of the  
9   State Treasury.

10      B. When the court has ordered restitution as a condition of  
11   supervision as provided for in subsection A of this section and that  
12   condition has not been satisfied, the court may, at any time prior  
13   to the termination or expiration of the supervision period, order an  
14   extension of supervision for a period not to exceed three (3) years.

15      C. In addition to any conditions of supervision provided for in  
16   subsection A of this section, the court shall, in the case of a  
17   person before the court for the offense of operating or being in  
18   control of a motor vehicle while the person was under the influence  
19   of alcohol, other intoxicating substance, or a combination of  
20   alcohol and another intoxicating substance, or who is before the  
21   court for the offense of operating a motor vehicle while the ability  
22   of the person to operate such vehicle was impaired due to the  
23   consumption of alcohol, require the person to participate in an  
24   alcohol and drug substance abuse evaluation program offered by a

1 facility or qualified practitioner certified by the Department of  
2 Mental Health and Substance Abuse Services for the purpose of  
3 evaluating the receptivity to treatment and prognosis of the person.  
4 The court shall order the person to reimburse the facility or  
5 qualified practitioner for the evaluation. The Department of Mental  
6 Health and Substance Abuse Services shall establish a fee schedule,  
7 based upon the ability of a person to pay, provided the fee for an  
8 evaluation shall not exceed Seventy-five Dollars (\$75.00). The  
9 evaluation shall be conducted at a certified facility, the office of  
10 a qualified practitioner or at another location as ordered by the  
11 court. The facility or qualified practitioner shall, within  
12 seventy-two (72) hours from the time the person is assessed, submit  
13 a written report to the court for the purpose of assisting the court  
14 in its determination of conditions for deferred sentence. No  
15 person, agency or facility operating an alcohol and drug substance  
16 abuse evaluation program certified by the Department of Mental  
17 Health and Substance Abuse Services shall solicit or refer any  
18 person evaluated pursuant to this subsection for any treatment  
19 program or alcohol and drug substance abuse service in which the  
20 person, agency or facility has a vested interest; however, this  
21 provision shall not be construed to prohibit the court from ordering  
22 participation in or any person from voluntarily utilizing a  
23 treatment program or alcohol and drug substance abuse service  
24 offered by such person, agency or facility. Any evaluation report

1 submitted to the court pursuant to this subsection shall be handled  
2 in a manner which will keep the report confidential from review by  
3 the general public. Nothing contained in this subsection shall be  
4 construed to prohibit the court from ordering judgment and sentence  
5 in the event the defendant fails or refuses to comply with an order  
6 of the court to obtain the evaluation required by this subsection.

7 As used in this subsection, "qualified practitioner" means a person  
8 with at least a bachelor's degree in substance abuse treatment,  
9 mental health or a related health care field and at least two (2)  
10 years of experience in providing alcohol abuse treatment, other drug  
11 abuse treatment, or both alcohol and other drug abuse treatment who  
12 is certified each year by the Department of Mental Health and  
13 Substance Abuse Services to provide these assessments. However, any  
14 person who does not meet the requirements for a qualified  
15 practitioner as defined herein, but who has been previously  
16 certified by the Department of Mental Health and Substance Abuse  
17 Services to provide alcohol or drug treatment or assessments, shall  
18 be considered a qualified practitioner provided all education,  
19 experience and certification requirements stated herein are met by  
20 September 1, 1995. The court may also require the person to  
21 participate in one or both of the following:

22       1. An alcohol and drug substance abuse course, pursuant to  
23 Sections 3-452 and 3-453 of Title 43A of the Oklahoma Statutes; and  
24

1       2. A victims impact panel program, as defined in subsection H  
2 of Section 991a of this title, if such a program is offered in the  
3 county where the judgment is rendered. The defendant shall be  
4 required to pay a fee of Seventy-five Dollars (\$75.00) as set by the  
5 governing authority of the program and approved by the court to the  
6 victims impact panel program to offset the cost of participation by  
7 the defendant, if in the opinion of the court the defendant has the  
8 ability to pay such fee.

9           D. Upon completion of the conditions of the deferred judgment,  
10 and upon a finding by the court that the conditions have been met  
11 and all fines, fees, and monetary assessments have been paid as  
12 ordered, the defendant shall be discharged without a court judgment  
13 of guilt, and the court shall order the verdict or plea of guilty or  
14 plea of nolo contendere to be expunged from the record and the  
15 charge shall be dismissed with prejudice to any further action. The  
16 procedure to expunge the record of the defendant shall be as  
17 follows:

18       1. All references to the name of the defendant shall be deleted  
19 from the docket sheet;

20       2. The public index of the filing of the charge shall be  
21 expunged by deletion, mark-out or obliteration;

22       3. Upon expungement, the court clerk shall keep a separate  
23 confidential index of case numbers and names of defendants which  
24 have been obliterated pursuant to the provisions of this section;

1       4. No information concerning the confidential file shall be  
2 revealed or released, except upon written order of a judge of the  
3 district court or upon written request by the named defendant to the  
4 court clerk for the purpose of updating the criminal history record  
5 of the defendant with the Oklahoma State Bureau of Investigation;  
6 and

7       5. Defendants qualifying under Section 18 of this title may  
8 petition the court to have the filing of the indictment and the  
9 dismissal expunged from the public index and docket sheet. This  
10 section shall not be mutually exclusive of Section 18 of this title.

11       Records expunged pursuant to this subsection shall be sealed to  
12 the public but not to law enforcement agencies for law enforcement  
13 purposes. Records expunged pursuant to this subsection shall be  
14 admissible in any subsequent criminal prosecution to prove the  
15 existence of a prior conviction or prior deferred judgment without  
16 the necessity of a court order requesting the unsealing of such  
17 records.

18       E. The provisions of subsection D of this section shall be  
19 retroactive.

20       F. Whenever a judgment has been deferred by the court according  
21 to the provisions of this section, deferred judgment may not be  
22 accelerated for any technical violation unless a petition setting  
23 forth the grounds for such acceleration is filed by the district  
24 attorney with the clerk of the sentencing court and competent

1 evidence justifying the acceleration of the judgment is presented to  
2 the court at a hearing to be held for that purpose. The hearing  
3 shall be held not more than twenty (20) days after the entry of the  
4 plea of not guilty to the petition, unless waived by both the state  
5 and the defendant. Any acceleration of a deferred sentence based on  
6 a technical violation shall not exceed ninety (90) days for a first  
7 acceleration or five (5) years for a second or subsequent  
8 acceleration.

9       G. Upon any violation of the deferred judgment, other than a  
10 technical violation, the court may enter a judgment of guilt and  
11 proceed as provided in Section 991a of this title or may modify any  
12 condition imposed. Provided, however, if the deferred judgment is  
13 for a felony offense, and the defendant commits another felony  
14 offense, the defendant shall not be allowed bail pending appeal.

15       H. The deferred judgment procedure described in this section  
16 shall apply only to defendants who have not been previously  
17 convicted of a felony offense and have not received more than one  
18 deferred judgment for a felony offense within the ten (10) years  
19 previous to the commission of the pending offense.

20       Provided, the court may waive this prohibition upon written  
21 application of the district attorney. Both the application and the  
22 waiver shall be made a part of the record of the case.

23       I. The deferred judgment procedure described in this section  
24 shall not apply to defendants found guilty or who plead guilty or

1 nolo contendere to a sex offense required by law to register  
2 pursuant to the Sex Offenders Registration Act.

3       J. All defendants who are supervised pursuant to this section  
4 shall be subject to the sanction process as established in  
5 subsection D of Section 991b of this title.

6       K. Notwithstanding the provisions of subsections F and G of  
7 this section, a person who is being considered for an acceleration  
8 of a deferred judgment for an offense where the penalty has  
9 subsequently been lowered to a misdemeanor shall only be subject to  
10 a judgment and sentence that would have been applicable had he or  
11 she committed the offense after July 1, 2017.

12      SECTION 3.       AMENDATORY       22 O.S. 2021, Section 991d, is  
13 amended to read as follows:

14       Section 991d. A. 1. When the court orders supervision by the  
15 Department of Corrections, or the district attorney requires the  
16 Department to supervise any person pursuant to a deferred  
17 prosecution agreement, the person shall be required to pay a  
18 supervision fee of Forty Dollars (\$40.00) per month during the  
19 supervision period, unless the fee would impose an unnecessary  
20 hardship on the person. In hardship cases, the Department shall  
21 expressly waive all or part of the fee. The court shall make  
22 payment of the fee a condition of the sentence which shall be  
23 imposed whether the supervision is incident to the suspending of  
24 execution of a sentence, incident to the suspending of imposition of

1 a sentence, or incident to the deferral of proceedings after a  
2 verdict or plea of guilty. The Department shall determine methods  
3 for payment of supervision fee, and may charge a reasonable user fee  
4 for collection of supervision fees electronically. The Department  
5 is required to report to the sentencing court any failure of the  
6 person to pay supervision fees and to report immediately if the  
7 person violates any condition of the sentence.

8 2. ~~When the court imposes a suspended or deferred sentence for~~  
9 ~~any offense and does not order supervision by the Department of~~  
10 ~~Corrections, the offender shall be required to pay to the district~~  
11 ~~attorney a supervision fee of Forty Dollars (\$40.00) per month as a~~  
12 ~~fee to compensate the district attorney for the actual act of~~  
13 ~~supervising the offender during the applicable period of~~  
14 ~~supervision. In hardship cases, the district attorney shall~~  
15 ~~expressly waive all or part of the fee. Any fees collected by the~~  
16 ~~district attorney pursuant to this paragraph shall be deposited in~~  
17 ~~the General Revenue Fund of the State Treasury.~~

18 3. If restitution is ordered by the court in conjunction with  
19 supervision, the supervision fee will be paid in addition to the  
20 restitution ordered. In addition to the restitution payment and  
21 supervision fee, a reasonable user fee may be charged by the  
22 Department of Corrections to cover the expenses of administration of  
23 the restitution, except no user fee shall be collected by the  
24 Department when restitution payment is collected and disbursed to

1 the victim by the office of the district attorney as provided in  
2 Section 991f of this title or Section 991f-1.1 of this title.

3       B. The Pardon and Parole Board shall require a supervision fee  
4 to be paid by the parolee as a condition of parole which shall be  
5 paid to the Department of Corrections. The Department shall  
6 determine the amount of the fee as provided for other persons under  
7 supervision by the Department.

8       C. Upon acceptance of an offender by the Department of  
9 Corrections whose probation or parole supervision was transferred to  
10 Oklahoma through the Interstate Compact Agreement, or upon the  
11 assignment of an inmate to any community placement, a fee shall be  
12 required to be paid by the offender to the Department of Corrections  
13 as provided for other persons under supervision of the Department.

14       D. ~~Except as provided in subsection A and this subsection, all~~  
15 All fees collected pursuant to this section shall be deposited in  
16 the Department of Corrections Revolving Fund created pursuant to  
17 Section 557 of Title 57 of the Oklahoma Statutes. For the fiscal  
18 year ending June 30, 1996, fifty percent (50%) of all collections  
19 received from offenders placed on supervision after July 1, 1995,  
20 shall be transferred to the credit of the General Revenue Fund of  
21 the State Treasury until such time as total transfers equal Three  
22 Million Three Hundred Thousand Dollars (\$3,300,000.00).

1 SECTION 4. This act shall become effective November 1, 2025.

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3 60-1-11825      GRS      12/17/24

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