

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 HOUSE BILL 2376

By: Hill of the House

5 and

6 Daniels of the Senate

9 AS INTRODUCED

10 An Act relating to criminal procedure; amending
11 Section 1, Chapter 248, O.S.L. 2023 (22 O.S. Supp.
12 2024, Section 991a-4.2), which relates to early
13 evaluation hearings; directing the District Attorneys
14 Council to annually provide list of early termination
15 applications; and providing an effective date.

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

17 SECTION 1. AMENDATORY Section 1, Chapter 248, O.S.L.

18 2023 (22 O.S. Supp. 2024, Section 991a-4.2), is amended to read as
19 follows:

20 Section 991a-4.2. A. 1. Any person who receives a suspended
21 sentence that exceeds five (5) years pursuant to the provisions of
22 Section 991a of this title for an offense not listed in Section 13.1
23 or subsection C, D, E, F, G, or J of Section 644 of Title 21 of the
24 Oklahoma Statutes or Section 571 or 582 of Title 57 of the Oklahoma

1 Statutes shall, upon request, receive an early evaluation hearing
2 after five (5) years to determine whether the length of the
3 suspended sentence should be modified.

4 2. Any person who receives a split sentence pursuant to the
5 provisions of Section 991a of ~~Title 22 of the Oklahoma Statutes of~~
6 ~~this title~~ for an offense not listed in Section 13.1 or subsection
7 C, D, E, F, G, or J of Section 644 of Title 21 of the Oklahoma
8 Statutes or Section 571 or 582 of Title 57 of the Oklahoma Statutes
9 and the suspended portion of the sentence exceeds five (5) years
10 shall, upon request, receive an early evaluation hearing after five
11 (5) years of serving the suspended portion of the split sentence to
12 determine whether the length of the split sentence should be
13 modified.

14 B. Upon an early evaluation hearing conducted pursuant to
15 subsection A of this section, the court may modify the length of the
16 suspended sentence or split sentence when:

17 1. The person has completed all requirements of his or her
18 probation, including treatment and rehabilitative programming;

19 2. The person had no criminal violations during the term of
20 probation;

21 3. The person has no pending revocation hearings; and

22 4. The district attorney does not object on behalf of the state
23 or the victim or victims of the offense. Any such objection shall
24

1 be made in writing, specify on behalf of whom the objection is made,
2 and include the specific reason or reasons for the objection.

3 C. A person may request an early evaluation hearing one (1)
4 year earlier than prescribed in subsection A of this section and the
5 court may modify the length of the suspended sentence or split
6 sentence when:

7 1. The person received a high school or high school equivalency
8 diploma, any college-level degree, or a vocational, technical, or
9 career training certification or degree while serving his or her
10 sentence, or when the person has maintained consistent employment
11 throughout his or her probation period;

12 2. The person has completed all requirements of his or her
13 probation, including treatment and rehabilitative programming;

14 3. The person had no criminal violations during the term of
15 probation;

16 4. The person has no pending revocation hearings; and

17 5. The district attorney does not object on behalf of the state
18 or the victim or victims of the offense. Any such objection shall
19 be made in writing, specify on behalf of whom the objection is made,
20 and include the specific reason or reasons for the objection.

21 D. Written notice shall be made to the appropriate district
22 attorney within fifteen (15) days of the filing of a request
23 pursuant to subsection A or subsection C of this section. The
24 district attorney shall have forty-five (45) days from the date the

1 notice was received to object or otherwise respond. The Court may,
2 upon request of the district attorney, grant a single fifteen-day
3 extension to object or otherwise respond.

4 E. An offender may only request one early evaluation hearing in
5 a case pursuant to subsection A of this section without prior
6 approval from the district attorney.

7 F. No person shall be prohibited from an early evaluation
8 hearing as a condition of a plea agreement or imposed sentence if
9 otherwise qualified pursuant to subsection A of this section.

10 G. The ~~President Pro Tempore of the Senate, the Speaker of the~~
11 ~~House of Representatives, or the Governor may request the District~~
12 ~~Attorneys Council to~~ shall provide a list of early termination
13 applications made and copies of any objections or other responses to
14 such applications during the prior fiscal year. ~~Such request shall~~
15 ~~be made no later than July 31 and shall be fulfilled to the~~
16 President Pro Tempore of the Oklahoma State Senate, the Speaker of
17 the Oklahoma House of Representatives, and the Governor no later
18 than November 30 of each year.

19 SECTION 2. This act shall become effective November 1, 2025.
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21 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
OVERSIGHT, dated 03/04/2025 - DO PASS.
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