

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2376

By: Hill

6 AS INTRODUCED

7 An Act relating to criminal procedure; amending
8 Section 1, Chapter 248, O.S.L. 2023 (22 O.S. Supp.
9 2024, Section 991a-4.2), which relates to early
evaluation hearings; directing the District Attorneys
Council to annually provide list of early termination
applications; and providing an effective date.

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

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

13 2023 (22 O.S. Supp. 2024, Section 991a-4.2), is amended to read as
14 follows:

15 Section 991a-4.2. A. 1. Any person who receives a suspended
16 sentence that exceeds five (5) years pursuant to the provisions of
17 Section 991a of this title for an offense not listed in Section 13.1
18 or subsection C, D, E, F, G, or J of Section 644 of Title 21 of the
19 Oklahoma Statutes or Section 571 or 582 of Title 57 of the Oklahoma
20 Statutes shall, upon request, receive an early evaluation hearing
21 after five (5) years to determine whether the length of the
22 suspended sentence should be modified.

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

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

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

16 2. The person had no criminal violations during the term of
17 probation;

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

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

23 C. A person may request an early evaluation hearing one (1)
24 year earlier than prescribed in subsection A of this section and the

1 court may modify the length of the suspended sentence or split
2 sentence when:

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

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

10 3. The person had no criminal violations during the term of
11 probation;

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

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

17 D. Written notice shall be made to the appropriate district
18 attorney within fifteen (15) days of the filing of a request
19 pursuant to subsection A or subsection C of this section. The
20 district attorney shall have forty-five (45) days from the date the
21 notice was received to object or otherwise respond. The Court may,
22 upon request of the district attorney, grant a single fifteen-day
23 extension to object or otherwise respond.

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

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

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

16 SECTION 2. This act shall become effective November 1, 2025.
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18 60-1-11368 GRS 12/31/24
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