

1 ENGROSSED HOUSE
2 BILL NO. 2376

3 By: Hill of the House

4 and

5 Daniels of the Senate

6

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
10 evaluation hearings; directing the District Attorneys
11 Council to annually provide list of early termination
12 applications; and providing an effective date.

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

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

15 2023 (22 O.S. Supp. 2024, Section 991a-4.2), is amended to read as
16 follows:

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

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

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

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

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

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

22 C. A person may request an early evaluation hearing one (1)
23 year earlier than prescribed in subsection A of this section and the
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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~~ On or
9 before November 30, 2025, and every odd year thereafter, the
10 District Attorneys Council ~~to~~ shall provide a list of early
11 termination applications made and copies of any objections or other
12 responses to such applications during the prior fiscal year. Such
13 ~~request shall be made no later than July 31 and shall be fulfilled~~
14 ~~no later than November 30 to the President Pro Tempore of the~~
15 Oklahoma State Senate, the Speaker of the Oklahoma House of
16 Representatives, and the Governor.

17 SECTION 2. This act shall become effective November 1, 2025.
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Passed the House of Representatives the 25th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the _____ day of _____, 2025.

Presiding Officer of the Senate