

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1888

By: Sparks

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5
6 AS INTRODUCED

7 An Act relating to drug courts; amending 22 O.S.
8 2011, Section 471.9, which relates to completion of
9 drug court program; prohibiting denial of driving
10 privilege under certain circumstances; and providing
11 an effective date.

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

13 SECTION 1. AMENDATORY 22 O.S. 2011, Section 471.9, is
14 amended to read as follows:

15 Section 471.9. A. When an offender has successfully completed
16 the drug court program, the criminal case against the offender shall
17 be:

18 1. Dismissed if the offense was a first felony offense; or
19 2. If the offender has a prior felony conviction, the
20 disposition shall be as specified in the written plea agreement.

21 B. The final disposition order for a drug court case shall be
22 filed with the judge assigned to the case, and shall indicate the
23 sentence specified in the written plea agreement. A copy of the
24 final disposition order for the drug court case shall also be filed

1 in the original criminal case file under the control of the court
2 clerk which is open to the public for inspection. Original criminal
3 case files which are under the control of the court clerk and which
4 are subsequently assigned to the drug court program shall be marked
5 with a pending notation until a final disposition order is entered
6 in the drug court case. After an offender completes the program,
7 the drug court case file shall be sealed by the judge and may be
8 destroyed after ten (10) years. The district attorney shall have
9 access to sealed drug court case files without a court order.

10 C. A record pertaining to an offense resulting in a successful
11 completion of a drug court program shall not, without the offender's
12 consent in writing, be used in any way which could result in the
13 denial of any employee benefit.

14 D. Successful completion of a drug court program shall not
15 prohibit any administrative agency from taking disciplinary action
16 against any licensee or from denying a license or privilege as may
17 be required by law; provided, however, the denial of an offender's
18 driver license and driving privilege shall be at the discretion of
19 the court.

20 SECTION 2. This act shall become effective November 1, 2012.

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