

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1566

By: Shaw of the Senate

and

6 Humphrey of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to earned discharge credits;
11 directing certain discharge credits for certain
12 compliance be given; prohibiting certain offenses
13 from eligibility for discharge credits; requiring
14 written policies and procedures; requiring
15 maintenance of records and notification; directing
16 the creation of rules for supervision and management
17 of probation providers; providing for codification;
18 and providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 512.1 of Title 57, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Every offender on felony probation supervision under Section
24 515a of Title 57 of the Oklahoma Statutes, supervised by the
Department of Corrections or by a private supervision provider,
shall be eligible to earn discharge credits for compliance with the

1 terms and conditions of probation supervision to reduce the term of
2 supervision and the overall term of the sentence. For every
3 calendar month of compliance with the terms and conditions of
4 probation supervision, the supervising body, defined for the
5 purposes of this section as the Department of Corrections or private
6 supervision provider responsible for the supervision of felony
7 probationers, shall award the offender earned discharge credits
8 equal to thirty (30) calendar days to be applied toward a reduction
9 of the probation supervision term ordered under Section 991a of
10 Title 22 of the Oklahoma Statutes. For the purposes of this
11 section, "compliance" shall be defined as the absence of a violation
12 report submitted by the supervising body during a calendar month.

13 B. No person convicted of an offense under Section 13.1 or
14 subsection C, D, E, F, G or J of Section 644 of Title 21 of the
15 Oklahoma Statutes shall be eligible for earned discharge credits
16 under this section.

17 C. Every supervising body shall develop written policies and
18 procedures necessary for the implementation of earned discharge
19 credits for offenders on felony probation supervision as authorized
20 pursuant to this section. The policies and procedures developed by
21 the supervising bodies shall include, but not be limited to, written
22 guidelines regarding the process to earn discharge credits and the
23 application of the credits toward the reduction of the term of
24 supervision or term of the sentence, the collection of data related

1 to who earns credit, how much is applied and how much of the
2 supervision period or sentence term is reduced at the point of
3 discharge.

4 D. Every supervising body shall maintain a record of credits
5 earned by an offender under this section. At least every six (6)
6 months from the date the offender is placed on probation, the
7 supervising body shall notify the offender of the current discharge
8 date for the offender's term of supervision and the overall sentence
9 of the offender.

10 E. Every supervising body shall notify the court not less than
11 thirty (30) days prior to the expected discharge date. However,
12 nothing in this section shall prohibit the supervising body from
13 requesting termination of the sentence earlier than the termination
14 date of the sentence authorized in subsection F of this section.

15 F. Once a combination of either time served in custody, if
16 applicable, time served on any form of probation, parole or post-
17 release supervision and earned discharge credits satisfy the total
18 sentence, the supervising body shall order the discharge of the
19 sentence of the offender.

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 512.2 of Title 57, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Every offender released to parole supervision pursuant to
24 Section 512 of Title 57 of the Oklahoma Statutes shall be eligible

1 to earn discharge credits for compliance with the terms and
2 conditions of parole supervision that reduce the offender's term of
3 supervision. For every calendar month of compliance with the terms
4 and conditions of parole supervision, the Department of Corrections
5 shall award the offender earned discharge credits equal to thirty
6 (30) calendar days to be applied toward a reduction of the parole
7 supervision period. For the purposes of this section, "compliance"
8 shall be defined as the absence of a violation report submitted by a
9 Probation and Parole Officer during a calendar month. No person
10 convicted of an offense under Section 13.1 or subsection C, D, E, F,
11 G or J of Section 644 of Title 21 of the Oklahoma Statutes shall be
12 eligible for earned discharge credits under this section.

13 B. The Department of Corrections shall develop written policies
14 and procedures necessary for the implementation of earned discharge
15 credits as authorized pursuant to this section. The policies and
16 procedures developed by the Department of Corrections shall include,
17 but not be limited to, written guidelines regarding the process to
18 earn discharge credits and the application of the credits toward the
19 reduction of the term of supervision or term of the sentence, the
20 collection of data related to who earns credit, how much is applied
21 and how much of the supervision period or sentence term is reduced
22 at the point of discharge.

23 C. The Department shall maintain a record of credits earned by
24 an offender under this section. At least every six (6) months from

1 the date the offender is placed on parole, the Department shall
2 notify the offender of the current parole termination date.

3 D. The Department shall notify the Pardon and Parole Board of
4 the impending termination not less than thirty (30) days prior to
5 the expected termination date. However, nothing in this section
6 shall prohibit the Department from requesting parole termination
7 earlier than the termination date authorized in subsection E of this
8 section.

9 E. Once a combination of either time served in custody, if
10 applicable, time served on any form of probation, parole or post-
11 release supervision and earned discharge credits satisfy the total
12 sentence, the Department shall order the final termination of the
13 offender's parole supervision.

14 SECTION 3. This act shall become effective November 1, 2020.

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