

1 ENGROSSED SENATE
2 BILL NO. 1566

By: Shaw of the Senate

3 and

4 Humphrey of the House

5
6 An Act relating to earned discharge credits;
7 directing certain discharge credits for certain
8 compliance be given; prohibiting certain offenses
9 from eligibility for discharge credits; requiring
10 written policies and procedures; requiring
11 maintenance of records and notification; directing
12 the creation of rules of supervision and management
13 of probation providers; providing for codification;
14 and providing an effective date.

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

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

19 A. Every offender on felony probation supervision under Section
20 515a of Title 57 of the Oklahoma Statutes, supervised by the
21 Department of Corrections or by a private supervision provider,
22 shall be eligible to earn discharge credits for compliance with the
23 terms and conditions of probation supervision to reduce the term of
24 supervision and the overall term of the sentence. For every
calendar month of compliance with the terms and conditions of
probation supervision, the supervising body, defined for the

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

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

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

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

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

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

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

20 A. Every offender released to parole supervision pursuant to
21 Section 512 of Title 57 of the Oklahoma Statutes shall be eligible
22 to earn discharge credits for compliance with the terms and
23 conditions of parole supervision that reduce the offender's term of
24 supervision. For every calendar month of compliance with the terms

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

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

20 C. The Department shall maintain a record of credits earned by
21 an offender under this section. At least every six (6) months from
22 the date the offender is placed on parole, the Department shall
23 notify the offender of the current parole termination date.

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

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

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

13 Passed the Senate the 5th day of March, 2020.

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16 Presiding Officer of the Senate

17 Passed the House of Representatives the ____ day of _____,
18 2020.

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21 Presiding Officer of the House
22 of Representatives
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