

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 137

6 By: Hamilton

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Department of Corrections;
9 amending 57 O.S. 2021, Section 510.9, which relates
10 to the Electronic Monitoring Program; modifying
11 elements of program eligibility; updating statutory
12 language; updating statutory reference; and providing
13 an effective date.

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

15 SECTION 1. AMENDATORY 57 O.S. 2021, Section 510.9, is
16 amended to read as follows:

17 Section 510.9. A. There is hereby created the Electronic
18 Monitoring Program for inmates in the custody of the Department of
19 Corrections who are sentenced for a nonviolent ~~offense~~ crime not
20 included as a violent ~~offense~~ crime defined in Section 571 of this
21 title. The Department is authorized to use an electronic monitoring
22 global positioning device to satisfy its custody duties and
23 responsibilities.

24 B. After an inmate has been processed and received through a
Department Assessment and Reception Center, has a home offer, and

1 has met the criteria established in subsection C of Section 521 of
2 this title, the Director of the Department of Corrections may assign
3 the inmate, if eligible, to the Electronic Monitoring Program. The
4 following inmates, youthful offenders, and juveniles shall not be
5 eligible for assignment to the program:

6 1. Any inmate serving a sentence of more than ten (10) years
7 who has one thousand ninety-five (1,095) days or more left on the
8 sentence;

9 2. Inmates convicted of a violent offense within the previous
10 ten (10) years or convicted of a violation enumerated in Section
11 13.1 of Title 21 of the Oklahoma Statutes;

12 3. Inmates convicted pursuant to Section 11-902 of Title 47 of
13 the Oklahoma Statutes who are not receptive to substance abuse
14 treatment and follow-up treatment;

15 4. Inmates deemed by the Department to be a security risk or
16 threat to the public;

17 5. Inmates requiring educational, medical, or other services or
18 programs not available in a community setting as determined by the
19 Department;

20 6. Inmates convicted of any crime related to domestic abuse as
21 provided for in Section 644 of Title 21 of the Oklahoma Statutes or
22 who have an active protection order that was issued under the
23 Protection from Domestic Abuse Act;

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1 7. Inmates who have outstanding felony warrants or detainers
2 from another jurisdiction;

3 8. Inmates convicted of a sex offense who, upon release from
4 incarceration, would be required by law to register pursuant to the
5 ~~Sex Offender~~ Offenders Registration Act;

6 9. Inmates convicted for any crime against a child or abuse
7 pursuant to Section 843.5 of Title 21 of the Oklahoma Statutes;

8 10. Inmates convicted of exploitation of a vulnerable adult
9 pursuant to Section 843.3 of Title 21 of the Oklahoma Statutes;

10 11. Inmates convicted of racketeering activity as defined in
11 Section 1402 of Title 22 of the Oklahoma Statutes;

12 12. Inmates convicted pursuant to subsection F of Section 2-401
13 of Title 63 of the Oklahoma Statutes;

14 13. Inmates convicted pursuant to Section 650 of Title 21 of
15 the Oklahoma Statutes;

16 14. Inmates convicted pursuant to subparagraph B of Section 11-
17 904 of Title 47 of the Oklahoma Statutes;

18 15. Inmates who have escaped from a medium or maximum custody
19 penal or correctional institution within the previous ten (10)
20 years; or

21 ~~15.~~ 16. Inmates who currently have active misconduct actions on
22 file with the Department of Corrections.

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1 C. Every eligible inmate assigned to the Electronic Monitoring
2 Program shall remain in such program until one of the following
3 conditions has been met:

4 1. The inmate discharges the term of the sentence;

5 2. The inmate is removed from the Electronic Monitoring Program
6 for violation of any rule or condition of the program and reassigned
7 to imprisonment in a correctional facility; or

8 3. The inmate is paroled by the Governor pursuant to Section
9 332.7 of this title.

10 D. After an inmate has been assigned to the Electronic
11 Monitoring Program, denial of parole pursuant to Section 332.7 of
12 this title, shall not be cause for removal from the program,
13 provided the inmate has not violated the rules or conditions of the
14 program. The inmate may remain assigned to the program, if
15 otherwise eligible, until the completion of the sentence. Loss of
16 eligibility for the program shall result in removal of the inmate
17 from the program.

18 E. The Electronic Monitoring Program shall require active
19 supervision of the inmate in a community setting by a correctional
20 officer or other employee of the Department of Corrections with
21 monitoring by a global positioning device approved by the Department
22 under such rules and conditions as may be established by the
23 Department. If an inmate violates any rule or condition of the
24 program, the Department may take necessary disciplinary action

1 consistent with the rules established pursuant to this section
2 including reassignment to a higher level of security or removing the
3 inmate from the program with reassignment to imprisonment in a
4 correctional facility. Any inmate who escapes from the Electronic
5 Monitoring Program shall be subject to the provisions of Section 443
6 of Title 21 of the Oklahoma Statutes.

7 F. Upon an inmate assigned to the Electronic Monitoring Program
8 becoming eligible for parole consideration, pursuant to Section
9 332.7 of this title, the Department of Corrections shall deliver the
10 inmate, in person, to a correctional facility for an interview,
11 together with any Department records necessary for the Pardon and
12 Parole Board's investigation. Inmates assigned to the Electronic
13 Monitoring Program shall not be allowed to waive consideration or
14 recommendation for parole.

15 G. Prior to placement of any eligible inmate assigned to the
16 Electronic Monitoring Program ~~being placed~~ in a community setting,
17 the Department of Corrections shall deliver a written notification
18 to the sheriff and district attorney of the county, and the chief
19 law enforcement officer of any incorporated city or town in which
20 the inmate is to be monitored and supervised under the program. The
21 Department of Corrections shall provide notice of the projected date
22 of release of an inmate to the designated Oklahoma victim
23 notification service provider within sixty (60) days but not less
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1 than seven (7) days prior to the projected date of release of the
2 inmate.

3 H. An inmate assigned to the Electronic Monitoring Program may
4 be required to pay the Department of Corrections for all or part of
5 any monitoring equipment or fee, substance abuse treatment program
6 or follow-up treatment expense, supervision cost, or other costs
7 while assigned to the program. The Department shall determine
8 whether the inmate has the ability to pay all or part of such fee or
9 costs.

10 I. The Department of Corrections shall develop policies and
11 procedures necessary to implement the Electronic Monitoring Program
12 including, but not limited to, methods of monitoring and
13 supervision, disciplinary action, reassignment to higher and lower
14 security levels, removal from the program, and costs of monitoring
15 and supervision to be paid by the inmate, if any.

16 J. An inmate assigned to the Electronic Monitoring Program
17 shall, within thirty (30) days of being placed in a community
18 setting, report to the court clerk and the district attorney of the
19 county from which the judgment and sentence resulting in
20 incarceration arose to address payment of any fines, costs,
21 restitution, and assessments owed by the inmate, if any.

22 SECTION 2. This act shall become effective November 1, 2026.

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