



1 directing that another sentence be imposed, if the court is  
2 satisfied that the best interests of the public will not be  
3 jeopardized; provided, however, the court shall not impose a  
4 deferred sentence. Any application for sentence modification that  
5 is filed and ruled upon beyond twelve (12) months of the initial  
6 sentence being imposed must be approved by the district attorney who  
7 shall provide written notice to any victims in the case which is  
8 being considered for modification.

9 2. The court imposing sentence may modify the sentence of any  
10 offender who was originally sentenced for a drug charge and ordered  
11 to complete the Drug Offender Work Camp at the Bill Johnson  
12 Correctional Facility and direct that another sentence be imposed,  
13 if the court is satisfied that the best interests of the public will  
14 not be jeopardized; provided, however, the court shall not impose a  
15 deferred sentence. An application for sentence modification  
16 pursuant to this paragraph may be filed and ruled upon beyond the  
17 initial sixty-month time period provided for in paragraph 1 of this  
18 subsection.

19 3. This section shall not apply to convicted felons who have  
20 been in confinement in any state or federal prison system for any  
21 previous felony conviction during the ten-year period preceding the  
22 date that the sentence this section applies to was imposed.  
23 Further, without the consent of the district attorney, this section

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1 shall not apply to sentences imposed pursuant to a plea agreement or  
2 jury verdict.

3 B. The court imposing the sentence may modify the sentence of  
4 any offender sentenced to life without parole for an offense other  
5 than a violent crime, as enumerated in Section 571 of Title 57 of  
6 the Oklahoma Statutes, who has served at least ten (10) years of the  
7 sentence in the custody of the Department of Corrections upon a  
8 finding that the best interests of the public will not be  
9 jeopardized. Provided; however, prior to granting a sentence  
10 modification under the provisions of this subsection, the court  
11 shall provide notice of the hearing to determine sentence  
12 modification to the victim or representative of the victim and shall  
13 allow the victim or representative of the victim the opportunity to  
14 provide testimony at the hearing. The court shall consider the  
15 testimony of the victim or representative of the victim when  
16 rendering a decision to modify the sentence of an offender.

17 C. The district attorney responsible for the prosecution of an  
18 individual convicted of a crime may commence a proceeding to adjust  
19 the sentence of that individual at any time after the initial  
20 sentencing; provided, the district attorney does not seek to  
21 increase the period of confinement or, if the individual is serving  
22 a suspended sentence, increase the period of supervision.

23 1. Prior to filing a motion under the provisions of this  
24 subsection, the district attorney shall make a reasonable and good-

1 faith effort to seek input from the victim or representative of the  
2 victim and shall consider the effect that an adjusted sentence would  
3 have on the victim or representative of the victim. In compliance  
4 with the provisions of Section 34 of Article II of the Oklahoma  
5 Constitution, the district attorney shall also make a good-faith and  
6 reasonable effort to notify the victim or representative of the  
7 victim of the motion for resentencing, the date of the resentencing  
8 hearing, and the right of the victim or representative of the victim  
9 to be present at the hearing and to submit a statement.

10 2. At the hearing on the motion of the district attorney, the  
11 court may consider postconviction factors including, but not limited  
12 to:

- 13 a. the disciplinary record of the inmate and record of  
14 rehabilitation of the inmate while incarcerated,
- 15 b. evidence that reflects whether age, time served, or  
16 diminished physical condition have reduced the risk  
17 for future violence by the inmate, and
- 18 c. evidence that circumstances have changed since the  
19 original sentencing of the inmate so that the  
20 continued incarceration of the inmate is no longer in  
21 the best interests of justice.

22 3. Credit shall be given to the inmate for any time served at  
23 the Department of Corrections on the charges before the court.

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1        4. The provisions of this section shall not apply to any  
2 sentence of death, life without the possibility of parole, or any  
3 offense which results in the defendant being required to register as  
4 a sex offender pursuant to the Sex Offenders Registration Act.

5        D. For purposes of judicial review, upon court order or written  
6 request from the sentencing judge, the Department of Corrections  
7 shall provide the court imposing sentence or revocation of probation  
8 with a report to include a summary of the assessed needs of the  
9 offender, any progress made by the offender in addressing his or her  
10 assessed needs, and any other information the Department can supply  
11 on the offender. The court shall consider such reports when  
12 modifying the sentence or revocation of probation. The court shall  
13 allow the Department of Corrections at least twenty (20) days after  
14 receipt of a request or order from the court to prepare the required  
15 reports.

16        ~~D.~~ E. If the court considers modification of the sentence or  
17 revocation of probation, a hearing shall be made in open court after  
18 receipt of the reports required in subsection ~~E~~ D of this section.  
19 The clerk of the court imposing sentence or revocation of probation  
20 shall give notice of the judicial review hearing to the Department  
21 of Corrections, the offender, the legal counsel of the offender, and  
22 the district attorney of the county in which the offender was  
23 convicted upon receipt of the reports. Such notice shall be mailed  
24 at least twenty-one (21) days prior to the hearing date and shall

1 include a copy of the report and any other written information to be  
2 considered at the judicial review hearing.

3 ~~E.~~ F. If an appeal is taken from the original sentence or from  
4 a revocation of probation which results in a modification of the  
5 sentence or modification to the revocation of probation of the  
6 offender, such sentence may be further modified in the manner  
7 described in paragraph 1 of subsection A of this section within  
8 sixty (60) months after the receipt by the clerk of the district  
9 court of the mandate from the Supreme Court or the Court of Criminal  
10 Appeals.

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

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13 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY  
14 OVERSIGHT, dated 02/24/2026 - DO PASS, As Coauthored.

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