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AS AMENDED

BILL NO. 2422

and

Gollihare of the Senate

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

A. For purposes of this section:

2. "Mental health evaluation" means an examination performed by a licensed mental health professional; and

SENATE FLOOR VERSION - HB2422 SFLR
(Bold face denotes Committee Amendments)

1 B. 1. A sex offender who meets the criteria for parole
2 eligibility as provided for in Section 332.21 of Title 57 of the
3 Oklahoma Statutes and the following conditions:

- 4 a. a mental health evaluation is performed on the sex
5 offender to determine the likelihood that the sex
6 offender would commit subsequent offenses if released
7 on parole. If the mental health professional
8 determines that hormonal treatment would inhibit the
9 likelihood of subsequent offenses, the sex offender
10 may elect to receive hormonal treatment as a condition
11 of parole. The decision to receive hormonal treatment
12 shall be made voluntarily by the sex offender,
- 13 b. a licensed physician shall administer the hormonal
14 treatment to the sex offender six (6) weeks prior to
15 release, and
- 16 c. the sex offender shall continue to receive hormonal
17 treatment while imprisoned in the custody of the
18 Department of Corrections at an appropriate frequency
19 as determined by a licensed physician.

20 2. Once a sex offender has met the conditions pursuant to
21 paragraph 1 of this subsection, the sex offender shall continue to
22 receive hormonal treatment at an appropriate frequency as determined
23 by a licensed physician in order to remain eligible for parole
24

1 unless it is determined by a licensed physician that hormonal
2 treatment is no longer necessary.

3 3. A sex offender who:

4 a. does not continue hormonal treatment as a condition of
5 parole,

6 b. receives another treatment to reverse the effects of
7 the hormonal treatment, or

8 c. commits subsequent offenses,

9 shall no longer remain eligible for parole and shall be subject to
10 imprisonment in the custody of the Department of Corrections.

11 4. A sex offender who commits a subsequent sex offense, as such
12 term is defined in Section 40 of Title 22 of the Oklahoma Statutes,
13 shall no longer remain eligible for parole and shall be sentenced to
14 imprisonment in the custody of the Department of Corrections for
15 life without parole. The sex offender shall be subject to lab or
16 blood testing at irregular intervals as determined by his or her
17 parole officer.

18 C. The Department of Corrections shall promulgate rules to
19 administer the provisions of this section.

20 D. A physician or mental health professional who acts in good
21 faith in compliance with this section in the administration of
22 treatment shall be immune from and not subject to civil or criminal
23 liability.

1 E. The provisions of this section shall only apply to sex
2 offenders convicted on or after the effective date of this act.

3 SECTION 2. AMENDATORY 57 O.S. 2021, Section 332.21, is
4 amended to read as follows:

5 Section 332.21. A. The Pardon and Parole Board is empowered to
6 parole a prisoner who:

7 1. Is sixty (60) years of age or older;

8 2. Has served, in actual custody, the shorter of ten (10) years
9 of the term or terms of imprisonment, or one-third (1/3) of the
10 total term or terms of imprisonment;

11 3. Poses minimal public safety risks warranting continued
12 imprisonment;

13 4. Is not imprisoned for a crime enumerated in Section 13.1 of
14 Title 21 of the Oklahoma Statutes or Section 571 of Title 57 of the
15 Oklahoma Statutes; and

16 5. Has not been convicted of a crime that would require the
17 person to be subject to the registration requirements of the Sex
18 Offenders Registration Act.

19 If the prisoner has been convicted for a crime as provided for
20 in paragraphs 4 and 5 of this subsection, the prisoner may be
21 paroled pursuant to the provisions in Section 1 of this act.

22 B. The authority to grant parole under Section 332.2 of ~~Title~~
23 ~~57 of the Oklahoma Statutes~~ this title shall rest with the Pardon
24 and Parole Board.

1 C. The Pardon and Parole Board shall use an evidence-based
2 risk-assessment instrument to assess the public safety risk posed by
3 aging prisoners upon release.

4 D. Unless eligible for release at an earlier date, an aging
5 prisoner who has been committed to the Department of Corrections for
6 a term or terms of imprisonment shall have the ability to request a
7 parole hearing before the Pardon and Parole Board if the prisoner
8 has served, in actual custody, the shorter of:

9 1. Ten (10) years of the term or terms of actual imprisonment;
10 or

11 2. One-third (1/3) of the total term or terms of imprisonment.

12 E. Once a prisoner requests a parole hearing under subsection A
13 of this section, the Pardon and Parole Board may place the prisoner
14 on the next available docket.

15 F. The Pardon and Parole Board may grant parole to a prisoner
16 if the Board finds by a preponderance of the evidence that the
17 prisoner, if released, can live and remain at liberty without posing
18 a substantial risk to public safety.

19 G. The Pardon and Parole Board may use the selected evidence-
20 based risk-assessment instrument to make the determination provided
21 for in subsection F of this section.

22 H. The Pardon and Parole Board may provide the prisoner the
23 opportunity to speak on his or her own behalf and the option of
24 having counsel present at the parole hearing.

1 I. For purposes of this section:

2 1. "Aging prisoner" means any person imprisoned by the
3 Department of Corrections who is sixty (60) years of age or older;
4 and

5 2. "Evidence-based" means programs or practices that have been
6 scientifically tested in controlled studies and proven to be
7 effective.

8 SECTION 3. AMENDATORY 57 O.S. 2021, Section 512, is
9 amended to read as follows:

10 Section 512. Any inmate in ~~a state penal institution~~ the
11 custody of the Department of Corrections who has been granted a
12 parole shall be released from the institution upon the following
13 conditions:

14 1. That ~~he~~ the inmate comply with specified requirements of the
15 Division of Community Services of the Department of Corrections
16 under the active supervision of a ~~Probation and Parole Officer~~
17 probation and parole officer. Such active supervision shall be for
18 a period not to exceed three (3) years, except as provided in
19 paragraph 2 of this section~~;~~ and

20 2. That ~~he~~ the inmate be actively supervised by a ~~Probation and~~
21 ~~Parole Officer~~ probation and parole officer for an extended period
22 not to exceed the expiration of the maximum term or terms for which
23 ~~he~~ the inmate was sentenced if convicted of a sex offense or upon
24 the determination by the Division of Community Services that the

1 best interests of the public and the parolee will be served by such
2 an extended period of supervision.

3 Provided, for the purposes of this section, the term "sex
4 offense" shall not include a violation of paragraph 1 of subsection
5 A of Section 1021 of Title 21 of the Oklahoma Statutes unless the
6 conditions of parole are those provided for in Section 1 of this
7 act.

8 ~~The Probation and Parole Officer~~ probation and parole officer,
9 upon information sufficient to give him or her reasonable grounds to
10 believe that the parolee has violated the terms of and conditions of
11 ~~his~~ parole, shall notify the Deputy Director of the Division of
12 Community Services in accordance with Section 516 of ~~Title 57 of the~~
13 ~~Oklahoma Statutes~~ this title.

14 SECTION 4. This act shall become effective November 1, 2025.

15 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
16 April 14, 2025 - DO PASS AS AMENDED
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