

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2030

By: Pugh

6 AS INTRODUCED

7 An Act relating to criminal procedure; amending 22
8 O.S. 2021, Section 18, as last amended by Section 1,
9 Chapter 259, O.S.L. 2024 (22 O.S. Supp. 2025, Section
10 18), which relates to expungement of records; adding
11 certain persons authorized to file a motion for
12 expungement; clarifying certain term; requiring
13 Oklahoma State Bureau of Investigation to make
14 certain consideration; clarifying scope of certain
15 sealing; requiring establishment of certain portal;
16 requiring certain review; requiring certain
17 determination of eligibility; authorizing certain
18 petition; requiring certain notification; amending 22
19 O.S. 2021, Section 19, as last amended by Section 1,
20 Chapter 292, O.S.L. 2025 (22 O.S. Supp. 2025, Section
21 19), which relates to sealing and unsealing of
22 records; modifying procedure for certain expungement
23 order; authorizing promulgation of rules; clarifying
24 scope for which certain petition may be filed;
repealing 22 O.S. 2021, Section 18, as last amended
by Section 12, Chapter 452, O.S.L. 2024 (22 O.S.
Supp. 2025, Section 18), which relates to expungement
of records; and providing an effective date.

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

21 SECTION 1. AMENDATORY 22 O.S. 2021, Section 18, as last
22 amended by Section 1, Chapter 259, O.S.L. 2024 (22 O.S. Supp. 2025,
23 Section 18), is amended to read as follows:

1 Section 18. A. Persons authorized to file a motion for
2 expungement, as provided herein, must be within one of the following
3 categories:

4 1. The person has been acquitted;

5 2. The conviction was reversed with instructions to dismiss by
6 an appellate court of competent jurisdiction, or an appellate court
7 of competent jurisdiction reversed the conviction and the
8 prosecuting agency subsequently dismissed the charge;

9 3. The factual innocence of the person was established by the
10 use of deoxyribonucleic acid (DNA) evidence subsequent to
11 conviction, including a person who has been released from prison at
12 the time innocence was established;

13 4. The person has received a full pardon by the Governor for
14 the crime for which the person was sentenced;

15 5. The person was arrested and no charges of any type,
16 including charges for an offense different than that for which the
17 person was originally arrested, are filed and the statute of
18 limitations has expired or the prosecuting agency has declined to
19 file charges;

20 6. The person was under eighteen (18) years of age at the time
21 the offense was committed and the person has received a full pardon
22 for the offense;

23 7. The person was charged with one or more misdemeanor or
24 felony crimes, all charges have been dismissed, the person has never

1 been convicted of a felony, no misdemeanor or felony charges are
2 pending against the person and the statute of limitations for
3 refiling the charge or charges has expired or the prosecuting agency
4 confirms that the charge or charges will not be refiled; provided,
5 however, this category shall not apply to charges that have been
6 dismissed following the completion of a deferred judgment or delayed
7 sentence;

8 8. The person was charged with a misdemeanor, the charge was
9 dismissed following the successful completion of a deferred judgment
10 or delayed sentence, the person has never been convicted of a
11 felony, no misdemeanor or felony charges are pending against the
12 person and at least one (1) year has passed since the charge was
13 dismissed;

14 9. The person was charged with a nonviolent felony offense not
15 listed in Section 571 of Title 57 of the Oklahoma Statutes, the
16 charge was dismissed following the successful completion of a
17 deferred judgment or delayed sentence, the person has never been
18 convicted of a felony, no misdemeanor or felony charges are pending
19 against the person and at least five (5) years have passed since the
20 charge was dismissed;

21 10. The person was convicted of a misdemeanor offense, the
22 person was sentenced to a fine less than Five Hundred One Dollars
23 (\$501.00) without a term of imprisonment or a suspended sentence,
24 the fine has been paid or satisfied by time served in lieu of the

1 fine, the person has not been convicted of a felony and no felony or
2 misdemeanor charges are pending against the person;

3 11. The person was convicted of a misdemeanor offense, the
4 person was sentenced to a term of imprisonment, a suspended sentence
5 or a fine in an amount greater than Five Hundred Dollars (\$500.00),
6 the person has not been convicted of a felony, no felony or
7 misdemeanor charges are pending against the person and at least five
8 (5) years have passed since the end of the last misdemeanor
9 sentence;

10 12. The person was convicted of a misdemeanor offense, the
11 person has not been convicted of a felony, no felony or misdemeanor
12 charges are pending against the person, and five (5) years have
13 passed since the end of the last misdemeanor sentence;

14 13. The person was convicted of a nonviolent felony offense not
15 listed in Section 571 of Title 57 of the Oklahoma Statutes, the
16 person has not been convicted of any other felony, the person has
17 not been convicted of a separate misdemeanor in the last seven (7)
18 years, no felony or misdemeanor charges are pending against the
19 person and at least five (5) years have passed since the completion
20 of the sentence for the felony conviction;

21 13. 14. The person was convicted of not more than two felony
22 offenses, none of which is a felony offense listed in Section 13.1
23 of Title 21 of the Oklahoma Statutes or any offense that would
24 require the person to register pursuant to the provisions of the Sex

1 Offenders Registration Act, no felony or misdemeanor charges are
2 pending against the person, and at least ten (10) years have passed
3 since the completion of the sentence for the felony conviction;

4 14. 15. The person was charged with not more than two felony
5 offenses and the charges were dismissed following the successful
6 completion of a deferred judgment or delayed sentence, none of which
7 were felony offenses listed in Section 13.1 of Title 21 of the
8 Oklahoma Statutes or would require the person to register pursuant
9 to the provisions of the Sex Offenders Registration Act, no felony
10 or misdemeanor charges are pending against the person, and at least
11 ten (10) years have passed since the charges were dismissed;

12 16. The person has been charged or arrested or is the subject
13 of an arrest warrant for a crime that was committed by another
14 person who has appropriated or used the person's name or other
15 identification without the person's consent or authorization; or

16 15. 17. The person was convicted of a nonviolent felony offense
17 not listed in Section 571 of Title 57 of the Oklahoma Statutes which
18 was subsequently reclassified as a misdemeanor under Oklahoma law,
19 the person is not currently serving a sentence for a crime in this
20 state or another state, at least thirty (30) days have passed since
21 the completion or commutation of the sentence for the crime that was
22 reclassified as a misdemeanor, any restitution ordered by the court
23 to be paid by the person has been satisfied in full, and any
24 treatment program ordered by the court has been successfully

1 completed by the person, including any person who failed a treatment
2 program which resulted in an accelerated or revoked sentence that
3 has since been successfully completed by the person or the person
4 can show successful completion of a treatment program at a later
5 date. Persons seeking an expungement of records under the
6 provisions of this paragraph may utilize the expungement forms
7 provided in Section 18a of this title; or

8 18. The person was convicted of a nonviolent felony offense not
9 listed in Section 571 of Title 57 of the Oklahoma Statutes that was
10 subsequently reclassified as a misdemeanor in this state, excluding
11 convictions pursuant to paragraph 1 of subsection A of Section 2-402
12 of Title 63 of the Oklahoma Statutes, the person is not currently
13 serving a sentence for a crime in this state, and at least five (5)
14 years have passed since the end of the last felony or misdemeanor
15 offense.

16 B. For purposes of Section 18 et seq. of this title:

17 1. "Expungement" means the sealing of criminal records, as well
18 as any public civil record, involving actions brought by and against
19 the State of Oklahoma arising from the same arrest, transaction or
20 occurrence, including court records. A fully sealed expunged record
21 shall not be available to the public or to law enforcement. Such
22 records may be retained in the state criminal history repository but
23 shall only be accessible to designated employees of the Oklahoma
24 State Bureau of Investigation for research and statistical purposes.

1 A partially sealed expunged record shall not be available to the
2 public but shall be available to law enforcement agencies for law
3 enforcement purposes; and

4 2. "Single-source record" means a criminal history record from
5 this state that consists of an Oklahoma arrest record only. A
6 single-source record shall not contain any arrest from another
7 state, a federal arrest, or an entry into the National Sex Offender
8 Registry or a National Crime Information Center (NCIC)
9 wanted/warrant entry.

10 C. Beginning ~~three (3) years after November 1, 2022 on the~~
11 effective date of this act, and subject to the availability of
12 funds, individuals with clean slate eligible ~~arrest~~ records shall be
13 eligible to have their ~~arrest~~ records sealed automatically. For
14 purposes of determining if the waiting periods in subsection A of
15 this section have been met, the Oklahoma State Bureau of
16 Investigation shall consider records in its possession and, in the
17 absence of disposition or sentence termination records, shall deem
18 sentences to have ended based on the sentence or supervision term
19 length information in its possession. In the absence of a known
20 term length of supervision or sentence, the Bureau shall deem a
21 sentence completed if the statutory maximum term length has elapsed
22 since the disposition date. For purposes of Section 18 et seq. of
23 this title, "clean slate eligible ~~arrest~~ record" shall mean an

1 arrest a record where each charge within the record meets one of the
2 following criteria:

3 1. Records described in paragraph 1, 2, 3, 4, ~~5~~, 6, 14 7, or 15
4 16 of subsection A of this section;

5 2. Records described in paragraph ~~7~~ 5 of subsection A of this
6 section where the prosecuting agency has declined to file charges
7 and the record is an Oklahoma single-source record; or

8 3. Records described in paragraph 8, ~~10~~, 12, or ~~11~~ 18 of
9 subsection A of this section where the record is an Oklahoma single-
10 source record.

11 D. For purposes of seeking an expungement under the provisions
12 of paragraph ~~10~~, 11, 12, 13, or ~~13~~ 14 of subsection A of this
13 section, offenses arising out of the same transaction or occurrence
14 shall be treated as one conviction and offense.

15 E. Records expunged pursuant to paragraphs 4, 8, 9, 10, 11, ~~12~~,
16 13, 14 and, 15, 16, or 17 of subsection A of this section and all
17 records expunged pursuant to subsection C of this section shall be
18 partially sealed so that such records are not available to the
19 public but remain available to law enforcement agencies for law
20 enforcement purposes. Records expunged pursuant to paragraphs 8, 9,
21 10, 11, ~~12~~ and 13, 14, or 15 of subsection A of this section shall
22 be admissible in any subsequent criminal prosecution to prove the
23 existence of a prior conviction or prior deferred judgment without
24 the necessity of a court order requesting the unsealing of the

1 records. Records expunged pursuant to paragraph 4, 6, ~~12 or 13, or~~
2 14 of subsection A of this section may also include the sealing of
3 Pardon and Parole Board records related to an application for a
4 pardon. Such records shall be sealed to the public but not to the
5 Pardon and Parole Board.

6 F. 1. The Oklahoma State Bureau of Investigation shall
7 establish and maintain a publicly accessible online portal for
8 individuals to submit an expedited expungement request for records
9 described in paragraph 17 of subsection A of this section or any
10 clean slate eligible records described in subsection C of this
11 section.

12 2. An expedited expungement request submitted through the
13 portal shall only require the individual to provide sufficient
14 personal identification information to allow the Bureau to locate
15 the relevant criminal history record and contact information,
16 including an email address or phone number, for notification
17 purposes.

18 3. Upon receipt of an expedited expungement request, the Bureau
19 shall review the associated criminal history record to determine if
20 it meets the criteria for an expedited expungement request pursuant
21 to this subsection. If the record is determined to be eligible, the
22 Bureau shall seal the record pursuant to the requirements of Section
23 19 of this title. If the record is determined not to be eligible,
24 the Bureau shall provide a written or electronic notice of rejection

1 to the individual, clearly stating the reason or reasons for
2 rejection based on the criteria established in this section.

3 4. If the Bureau fails to provide a sealing of the record or a
4 notice of rejection, or if the individual disagrees with the
5 rejection, the individual may petition the district court pursuant
6 to Section 19 of this title.

7 5. Upon the sealing of a record pursuant to this subsection,
8 the Bureau shall immediately notify the individual, via the contact
9 information provided in the request, that the record has been
10 sealed.

11 SECTION 2. AMENDATORY 22 O.S. 2021, Section 19, as last
12 amended by Section 1, Chapter 292, O.S.L. 2025 (22 O.S. Supp. 2025,
13 Section 19), is amended to read as follows:

14 Section 19. A. Any person qualified under Section 18 of this
15 title may petition the district court of the district in which the
16 arrest information pertaining to the person is located for the
17 sealing of all or any part of the record, including a court record,
18 except basic identification information.

19 B. The process for the automatic expungement of a clean slate
20 eligible ~~arrest~~ record as defined in subsection C of Section 18 of
21 this title is as follows:

22 1. On a monthly basis, the Oklahoma State Bureau of
23 Investigation shall identify ~~arrest~~ records which are clean slate
24

1 eligible by conducting a search of the criminal history repository
2 records of the Bureau;

3 2. The Bureau shall, ~~on a monthly basis~~, provide to the courts
4 a list of ~~clean slate eligible arrest records to the prosecuting~~
5 agency and the arresting agency;

6 3. The prosecuting agency, arresting agency, and the Bureau
7 may, no later than forty-five (45) days from the day on which the
8 notice described in paragraph 2 of this subsection is transmitted,
9 object to an automatic expungement and such objection shall be
10 transmitted to all parties. An objection may be made for any of the
11 following reasons:

12 a. ~~after reviewing the agency record, the agency believes~~
13 ~~the arrest record does not meet the definition of a~~
14 ~~clean slate eligible arrest record,~~

15 b. ~~the individual has not paid court-ordered restitution~~
16 ~~to the victim, or~~

17 c. ~~the agency has a reasonable belief, grounded in~~
18 ~~supporting facts, that an individual with a clean~~
19 ~~slate eligible arrest record is continuing to engage~~
20 ~~in criminal activity, whether charged or not charged,~~
21 ~~within or outside the state;~~

22 4. ~~If an agency identified in paragraph 3 of this subsection~~
23 ~~objects for a reason described in paragraph 3 of this subsection~~
24 ~~within forty-five (45) days of the day on which the notice described~~

1 in paragraph 2 of this subsection is transmitted, the record shall
2 not be expunged. Once a year, the Bureau shall electronically
3 submit a report to the Legislature with a list of all cases where a
4 record was not expunged pursuant to this paragraph; and

5 5. After forty five (45) days pass from the day on which the
6 notice described in paragraph 2 of this subsection is sent, the
7 Bureau shall provide to the courts a list of all cases where
8 responses from all parties were received and no parties objected.
9 The court shall review this list and provide to all agencies that
10 have criminal history records a signed expungement order for all
11 cases approved. Upon receipt of a signed expungement order, each
12 agency shall seal the relevant records.

13 The Bureau and the Supreme Court may promulgate rules to govern
14 the process for automatic expungement of records for a clean slate
15 eligible arrest record in accordance with this subsection all cases
16 identified pursuant to paragraph 1 of this subsection. The court
17 shall review the list and provide a signed expungement order for all
18 cases approved to all agencies that have criminal history records.
19 Upon receipt of a signed expungement order, each agency shall seal
20 the relevant records.

21 3. The Bureau and the Supreme Court may promulgate rules to
22 govern the process for automatic expungement of records for a clean
23 slate eligible record in accordance with this subsection.

1 C. 1. Nothing in this section precludes an individual from
2 filing a petition for expungement of records that are eligible for
3 automatic expungement under ~~subsection subsections~~ C and F of
4 Section 18 of this title if an automatic expungement has not
5 occurred pursuant to subsection B of this section.

6 2. An individual does not have a cause of action for damages as
7 a result of the failure of the Bureau to identify an arrest record
8 as eligible for automatic expungement.

9 D. An automatic expungement granted under subsection B of this
10 section does not preclude an individual from requesting the
11 unsealing of records in accordance with subsection P of this
12 section.

13 E. Upon the filing of a petition or entering of a court order
14 as prescribed in subsection A of this section, the court shall set a
15 date for a hearing and shall provide thirty (30) days of notice of
16 the hearing to the prosecuting agency, the arresting agency, the
17 Oklahoma State Bureau of Investigation, and any other person or
18 agency whom the court has reason to believe may have relevant
19 information related to the sealing of such record.

20 F. If a petitioner requests expungement for multiple offenses
21 in one county, each of which would qualify for expungement if
22 processed sequentially, the expungements may be considered under a
23 single petition. The petitioner shall not be required to submit
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1 multiple petitions to accomplish the sequential sealing of multiple
2 offenses in a single county.

3 G. Upon a finding that the harm to privacy of the person in
4 interest or dangers of unwarranted adverse consequences outweigh the
5 public interest in retaining the records, the court may order such
6 records, or any part thereof except basic identification
7 information, to be sealed. If the court finds that neither sealing
8 of the records nor maintaining of the records unsealed by the agency
9 would serve the ends of justice, the court may enter an appropriate
10 order limiting access to such records.

11 Any order entered under this subsection shall specify those
12 agencies to which such order shall apply. Any order entered
13 pursuant to this subsection may be appealed by the petitioner, the
14 prosecuting agency, the arresting agency, or the Oklahoma State
15 Bureau of Investigation to the Supreme Court in accordance with the
16 rules of the Supreme Court. In all such appeals, the Oklahoma State
17 Bureau of Investigation is a necessary party and must be given
18 notice of the appellate proceedings.

19 H. Upon the entry of an order to seal the records, or any part
20 thereof, or upon an automatic expungement described in subsection B
21 of this section, the subject official actions shall be deemed never
22 to have occurred, and the person in interest and all criminal
23 justice agencies may properly reply, upon any inquiry in the matter,

1 that no such action ever occurred and that no such record exists
2 with respect to such person.

3 I. Inspection of the records included in the order may
4 thereafter be permitted by the court only upon petition by the
5 person in interest who is the subject of such records, the Attorney
6 General, or by the prosecuting agency and only to those persons and
7 for such purposes named in such petition.

8 J. Employers, educational institutions, state and local
9 government agencies, officials, and employees shall not, in any
10 application or interview or otherwise, require an applicant to
11 disclose any information contained in sealed records. An applicant
12 need not, in answer to any question concerning arrest and criminal
13 records, provide information that has been sealed, including any
14 reference to or information concerning such sealed information and
15 may state that no such action has ever occurred. Such an
16 application may not be denied solely because of the refusal of the
17 applicant to disclose arrest and criminal records information that
18 has been sealed.

19 K. All arrest and criminal records information existing prior
20 to May 14, 1987, except basic identification information, is also
21 subject to sealing in accordance with subsection G of this section.

22 L. Nothing in this section shall be construed to authorize the
23 physical destruction of any criminal justice records.

1 M. For the purposes of this section, sealed materials which are
2 recorded in the same document as unsealed material may be recorded
3 in a separate document, and sealed, then obliterated in the original
4 document.

5 N. For the purposes of this section, district court index
6 reference of sealed material shall be destroyed, removed or
7 obliterated.

8 O. Any record ordered to be sealed pursuant to this section, if
9 not unsealed within ten (10) years of the expungement order, may be
10 obliterated or destroyed at the end of the ten-year period.

11 P. Subsequent to records being sealed as provided herein, the
12 prosecuting agency, the arresting agency, the Oklahoma State Bureau
13 of Investigation, or other interested person or agency may petition
14 the court for an order unsealing such records. Upon filing of a
15 petition, the court shall set a date for hearing, which hearing may
16 be closed at the discretion of the court, and shall provide thirty
17 (30) days of notice to all interested parties. If, upon hearing,
18 the court determines there has been a change of conditions or that
19 there is a compelling reason to unseal the records, the court may
20 order all or a portion of the records unsealed.

21 Q. Nothing herein shall prohibit the introduction of evidence
22 regarding actions sealed pursuant to the provisions of this section
23 at any hearing or trial for purposes of impeaching the credibility
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1 of a witness or as evidence of character testimony pursuant to
2 Section 2608 of Title 12 of the Oklahoma Statutes.

3 R. If a person qualifies for an expungement under the
4 provisions of paragraph 3 of subsection A of Section 18 of this
5 title and the petition for expungement is granted by the court, the
6 court shall order the reimbursement of all filing fees and court
7 costs incurred by the petitioner as a result of filing the
8 expungement request.

9 S. If a person qualifies for an expungement under the
10 provisions of paragraph 3 or 4 of subsection A of Section 18 of this
11 title, the person may request a hearing be set within thirty (30)
12 days after the date of filing the petition for expungement. The
13 court shall grant the request for the hearing and shall provide a
14 notice of no less than ten (10) days for said hearing to the
15 prosecuting agency, the arresting agency, the Oklahoma State Bureau
16 of Investigation, and any other person or agency whom the court has
17 reason to believe may have relevant information related to the
18 sealing of such record. Any order entered pursuant to the
19 provisions of this subsection shall be subject to the provisions of
20 subsections F through P of this section.

21 T. Any offense that has been expunged shall not be treated as a
22 prior offense in determining whether another offense qualifies for
23 an expungement under Section 18 of this title.

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1 SECTION 3. REPEALER 22 O.S. 2021, Section 18, as last
2 amended by Section 12, Chapter 452, O.S.L. 2024 (22 O.S. Supp. 2025,
3 Section 18), is hereby repealed.

4 SECTION 4. This act shall become effective November 1, 2026.

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