

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4112

By: West (Tammy)

AS INTRODUCED

An Act relating to court fines and fees; amending 20 O.S. 2021, Section 1313.2, as amended by Section 1, Chapter 305, O.S.L. 2025, (20 O.S. Supp. 2025, Section 1313.2), which relates to fines and fees in criminal cases; deleting the assessment of certain fees; making the unpaid balance of court financial obligations unenforceable and uncollectible; vacating certain judgments; amending 22 O.S. 2021, Section 983, as last amended by Section 2, Chapter 211, O.S.L. 2024 (22 O.S. Supp. 2025, Section 983), which relates to the payment of fines, fees and costs in criminal cases; making certain presumption of defendants un rebuttable; directing courts to waive court financial obligations; requiring courts to accept certain documents and testimony regarding certain benefits received by defendants; allowing testimony to be give orally or by affidavit; making certain presumption rebuttable; directing courts to waive court financial obligations if presumption is not rebutted; providing guidelines for rebutting presumption; providing for the reduction of court financial obligations under certain circumstances; amending 22 O.S. 2021, Section 991a, as last amended by Section 1, Chapter 306, O.S.L. 2025 (22 O.S. Supp. 2025, Section 991a), which relates to sentencing powers of the court; deleting supervision fees; making the unpaid balance of court financial obligations unenforceable and uncollectible; vacating certain judgments; amending 22 O.S. 2021, Section 991c, as amended by Section 3, Chapter 305, O.S.L. 2025 (22 O.S. Supp. 2025, Section 991c), which relates to deferred judgments; deleting supervision fees; making the unpaid balance of court financial obligations unenforceable and uncollectible; vacating certain judgments; amending 22 O.S. 2021, Section

1 991d, deleting supervision fees; making the unpaid  
2 balance of court financial obligations unenforceable  
3 and uncollectible; vacating certain judgments;  
4 amending 28 O.S. 2021, Section 153, as last amended  
5 by Section 5, Chapter 305, O.S.L. 2025 (28 O.S. Supp.  
6 2025, Section 153), which relates to costs in  
7 criminal cases; deleting the assessment of certain  
8 costs; making the unpaid balance of court financial  
9 obligations unenforceable and uncollectible; vacating  
10 certain judgments; amending 63 O.S. 2021, Section 2-  
11 401, as last amended by Section 13, Chapter 486,  
12 O.S.L. 2025 (63 O.S. Supp. 2025, Section 2-401),  
13 which relates to the Uniform Controlled Dangerous  
14 Substances Act; deleting certain assessment; making  
15 the unpaid balance of court financial obligations  
16 unenforceable and uncollectible; vacating certain  
17 judgments; repealing 21 O.S. 2021, Sections 1313.3  
18 and 1313.4, which relate to fingerprinting fees and  
19 Forensic Science Improvement Assessments; and  
20 providing an effective date.

21  
22  
23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

24 SECTION 1. AMENDATORY 20 O.S. 2021, Section 1313.2, as  
amended by Section 1, Chapter 305, O.S.L. 2025 (20 O.S. Supp. 2025,  
Section 1313.2), is amended to read as follows:

Section 1313.2. A. As used in this section:

1. "Arrested" means taking custody of another for the purpose  
of holding or detaining him or her to answer a criminal charge;

2. "Convicted" means any final adjudication of guilt, whether  
pursuant to a plea of guilty or nolo contendere or otherwise, and  
any deferred or suspended sentence or judgment;

3. "Court" means any state or municipal court having  
jurisdiction to impose a criminal fine or penalty; and

1       4. "DNA" means deoxyribonucleic acid.

2       B. Any person convicted of an offense including traffic  
3 offenses but excluding parking and standing violations, punishable  
4 by a fine of Ten Dollars (\$10.00) or more or by incarceration or any  
5 person forfeiting bond when charged with such an offense, shall be  
6 ordered by the court to pay Ten Dollars (\$10.00) as a separate fee,  
7 which fee shall be in addition to and not in substitution for any  
8 and all fines and penalties otherwise provided for by law for such  
9 offense.

10       C. ~~1. Any person convicted of any misdemeanor or felony~~  
11 ~~offense shall pay a Laboratory Analysis Fee in the amount of One~~  
12 ~~Hundred Fifty Dollars (\$150.00) for each offense if forensic science~~  
13 ~~or laboratory services are rendered or administered by the Oklahoma~~  
14 ~~State Bureau of Investigation (OSBI), by the Toxicology Laboratory~~  
15 ~~of the Office of the Chief Medical Examiner or by any municipality~~  
16 ~~or county in connection with the case. This fee shall be in~~  
17 ~~addition to and not a substitution for any and all fines and~~  
18 ~~penalties otherwise provided for by law for this offense.~~

19       ~~2. The court clerk shall cause to be deposited the amount of~~  
20 ~~One Hundred Fifty Dollars (\$150.00) as collected, for every~~  
21 ~~conviction as described in this subsection. The court clerk shall~~  
22 ~~remit the monies in the fund on a monthly basis directly either to:~~  
23       ~~a. the OSBI who shall deposit the monies into the OSBI~~  
24       ~~Revolving Fund provided for in Section 150.19a of~~

~~Title 74 of the Oklahoma Statutes for services rendered or administered by the OSBI,~~

~~b. the Office of the Chief Medical Examiner who shall deposit the monies into the Chief Medical Examiner Revolving Fund provided for in Section 948 of Title 63 of the Oklahoma Statutes for services rendered or administered by the Office of the Chief Medical Examiner, or~~

~~c. the appropriate municipality or county for services rendered or administered by a municipality or county.~~

~~3. The monies from the Laboratory Analysis Fee Fund deposited into the OSBI Revolving Fund shall be used for the following:~~

- ~~a. providing criminalistic laboratory services,~~
- ~~b. the purchase and maintenance of equipment for use by the laboratory in performing analysis,~~
- ~~c. education, training, and scientific development of OSBI personnel, and~~
- ~~d. the destruction of seized property and chemicals as prescribed in Sections 2-505 and 2-508 of Title 63 of the Oklahoma Statutes.~~

~~D.~~ Upon conviction or bond forfeiture, the court shall collect the fee provided for in subsection B of this section and deposit it in an account created for that purpose. Except as otherwise provided in subsection ~~E~~ D of this section, monies shall be

1 forwarded monthly by the court clerk to the Council on Law  
2 Enforcement Education and Training (CLEET). Beginning July 1, 2003,  
3 deposits shall be due on the fifteenth day of each month for the  
4 preceding calendar month. There shall be a late fee imposed for  
5 failure to make timely deposits; provided, CLEET, in its discretion,  
6 may waive all or part of the late fee. Such late fee shall be one  
7 percent (1%) of the principal amount due per day beginning from the  
8 tenth day after payment is due and accumulating until the late fee  
9 reaches one hundred percent (100%) of the principal amount due.  
10 Beginning on July 1, 1987, ninety percent (90%) of the monies  
11 received by CLEET from the court clerks pursuant to this section  
12 shall be deposited in the CLEET Fund, and ten percent (10%) shall be  
13 deposited in the General Revenue Fund. Beginning January 1, 2001,  
14 sixty and fifty-three one-hundredths percent (60.53%) of the monies  
15 received by CLEET from the court clerks pursuant to this section  
16 shall be deposited in the CLEET Fund created pursuant to subsection  
17 ~~F~~ E of this section, five and eighty-three one-hundredths percent  
18 (5.83%) shall be deposited in the General Revenue Fund and thirty-  
19 three and sixty-four one-hundredths percent (33.64%) shall be  
20 deposited in the CLEET Training Center Revolving Fund created  
21 pursuant to Section 3311.6 of Title 70 of the Oklahoma Statutes.  
22 Along with the deposits required by this subsection, each court  
23 shall also submit a report stating the total amount of funds  
24 collected and the total number of fees imposed during the preceding

1 quarter. The report may be made on computerized or manual  
2 disposition reports.

3 ~~F.~~ D. Any municipality or county having a basic law enforcement  
4 academy approved by CLEET pursuant to the criteria developed by  
5 CLEET for training law enforcement officers shall retain from monies  
6 collected pursuant to subsections A through ~~D~~ C of this section, Two  
7 Dollars (\$2.00) from each fee. These monies shall be deposited into  
8 an account for the sole use of the municipality or county in  
9 implementing its law enforcement training functions. Not more than  
10 seven percent (7%) of the monies shall be used for court and  
11 prosecution training. The court clerk of any such municipality or  
12 county shall furnish to CLEET the report required by subsection ~~D~~ C  
13 of this section.

14 ~~F.~~ E. There is hereby created in the State Treasury a fund for  
15 the Council on Law Enforcement Education and Training to be  
16 designated the "CLEET Fund". The fund shall be subject to  
17 legislative appropriation and shall consist of any monies received  
18 from fees and receipts collected pursuant to the Oklahoma Open  
19 Records Act, reimbursements for parts used in the repair of weapons  
20 of law enforcement officers attending the basic academies, gifts,  
21 bequests, contributions, tuition, fees, devises and the assessments  
22 levied pursuant to the fund pursuant to law.

23 ~~G. 1. Any person arrested or convicted of a felony offense or~~  
24 ~~convicted of a misdemeanor offense of assault and battery, domestic~~

1 ~~abuse, stalking, possession of a controlled substance prohibited~~  
2 ~~under Schedule IV of the Uniform Controlled Dangerous Substances~~  
3 ~~Act, outraging public decency, resisting arrest, escaping or~~  
4 ~~attempting to escape, eluding a police officer, Peeping Tom,~~  
5 ~~pointing a firearm, threatening an act of violence, breaking and~~  
6 ~~entering a dwelling place, destruction of property, negligent~~  
7 ~~homicide or causing a personal injury accident while driving under~~  
8 ~~the influence of any intoxicating substance shall pay a DNA fee of~~  
9 ~~One Hundred Fifty Dollars (\$150.00). This fee shall not be~~  
10 ~~collected if the person has a valid DNA sample in the OSBI DNA~~  
11 ~~Offender Database at the time of sentencing.~~

12       ~~2. The court clerk shall cause to be deposited the amount of~~  
13 ~~One Hundred Fifty Dollars (\$150.00) as collected for every felony~~  
14 ~~arrest, felony conviction or every conviction for a misdemeanor~~  
15 ~~offense of assault and battery, domestic abuse, stalking, possession~~  
16 ~~of a controlled substance prohibited under the Uniform Controlled~~  
17 ~~Dangerous Substances Act, outraging public decency, resisting~~  
18 ~~arrest, escaping or attempting to escape, eluding a police officer,~~  
19 ~~Peeping Tom, pointing a firearm, threatening an act of violence,~~  
20 ~~breaking and entering a dwelling place, destruction of property,~~  
21 ~~negligent homicide or causing a personal injury accident while~~  
22 ~~driving under the influence of any intoxicating substance as~~  
23 ~~described in this subsection. The court clerk shall remit the~~  
24 ~~monies in the fund on a monthly basis directly to the OSBI who shall~~

1 ~~deposit the monies into the OSBI Revolving Fund provided for in~~  
2 ~~Section 150.19a of Title 74 of the Oklahoma Statutes for services~~  
3 ~~rendered or administered by the OSBI.~~

4 ~~3. The monies from the DNA sample fee deposited into the OSBI~~  
5 ~~Revolving Fund shall be used for creating, staffing and maintaining~~  
6 ~~the OSBI DNA Laboratory and OSBI Combined DNA Index System (CODIS)~~  
7 ~~Database.~~

8 ~~H. F.~~ It shall be the responsibility of the court clerk to  
9 account for and ensure the correctness and accuracy of payments made  
10 to the state agencies identified in ~~Sections~~ Section 1313.2 ~~through~~  
11 ~~1313.4~~ of this title. Payments made directly to an agency by the  
12 court clerk as a result of different types of assessments and fees  
13 pursuant to ~~Sections~~ Section 1313.2 ~~through 1313.4~~ of this title  
14 shall be made monthly to each state agency.

15 G. Beginning November 1, 2026, the unpaid balance of any  
16 Laboratory Analysis fee, DNA fee, fingerprinting fee, or Forensic  
17 Science Improvement Assessment fee owed by a defendant in his or her  
18 criminal case shall be waived and deemed unenforceable and  
19 uncollectible. Any portion of a judgment imposing such fees shall  
20 be vacated.

21 SECTION 2. AMENDATORY 22 O.S. 2021, Section 983, as last  
22 amended by Section 2, Chapter 211, O.S.L. 2024 (22 O.S. Supp. 2025,  
23 Section 983), is amended to read as follows:  
24



1       Section 983. A. As used in this section, unless the context  
2 otherwise requires:

3       1. "Cost arrest warrant" means a warrant authorizing arrest  
4 that is issued by a court under the following circumstances:

5           a. failure to comply with the terms of a court financial  
6 obligations payment plan,

7           b. failure to appear at a cost hearing or willfulness  
8 hearing, or

9           c. failure to appear at the office of the court clerk of  
10 the county in which the court financial obligation is  
11 owed within ten (10) days of being cited by a law  
12 enforcement officer to appear;

13       2. "Cost cite and release warrant" means a warrant issued by a  
14 court authorizing citation and release under the following  
15 circumstances:

16           a. failure to comply with terms of a court financial  
17 obligations payment plan, or

18           b. failure to appear at a cost hearing or willfulness  
19 hearing;

20       3. "Cost hearing" means a hearing in which the court determines  
21 the ability of a defendant to pay court financial obligations. Once  
22 a cost hearing date has been set, all court financial obligations  
23 shall be suspended until the cost hearing has been held;

1       4. "Court financial obligation" means all financial obligations  
2 including fines, costs, fees, and assessments, imposed by the court  
3 or required by law to be paid, excluding restitution or payments to  
4 be made other than to the court clerk;

5       5. "Payment-in-full" means a court financial payment term that  
6 requires the defendant to pay the full amount of court financial  
7 obligations owed within ninety (90) days of a plea or sentence in  
8 the district court or within thirty (30) days of a plea or sentence  
9 in the municipal court;

10       6. "Payment-in-installments" means payment terms for court  
11 financial obligations that require the defendant to make monthly  
12 payments in any amount until the amount owed is fully paid; and

13       7. "Willfulness hearing" means a hearing in which the court  
14 determines whether a defendant who has previously been found to have  
15 the ability to pay court financial obligations has willfully failed  
16 to pay the debt.

17       B. 1. Except in cases provided for in Section 983b of this  
18 title, when the judgment and sentence of a court, either in whole or  
19 in part, imposes court financial obligations upon a defendant, the  
20 court at the time of sentencing may immediately, or at any point  
21 thereafter until the debt is either paid or waived, determine the  
22 ability of a defendant to pay the court financial obligations. The  
23 court may make such determinations at a cost hearing or upon written  
24

1 motion or affidavit by the defendant. The ability of a defendant to  
2 pay court financial obligations may not impact the sentence imposed.

3 2. a. Defendants with court financial obligations who are  
4 found by the court to be unable to pay, in whole or in  
5 part, shall be relieved of the debt by the court  
6 through a hardship waiver of the court financial  
7 obligations, either in whole or in part.

8 b. If a defendant has received benefits or has income  
9 qualifying for a presumption under paragraph 5 of this  
10 subsection for at least six of the prior twelve  
11 months, the presumption that the defendant is unable  
12 to pay his or her court financial obligations shall be  
13 unrebuttable, and the court shall waive all remaining  
14 court financial obligations. If the defendant  
15 produces a document showing receipt of any benefits  
16 listed under paragraph 5 of this subsection, the court  
17 shall accept that document and testimony that the  
18 defendant has received those benefits for six of the  
19 prior twelve months as conclusive evidence  
20 establishing the presumption. Testimony may be given  
21 orally or by affidavit.

22 c. If a defendant has received benefits or has income  
23 qualifying for a presumption under paragraph 5 of this  
24 subsection for less than six of the prior twelve

1           months, the presumption that the defendant is unable  
2           to pay his or her court financial obligations shall be  
3           rebuttable. If the presumption is not rebutted, the  
4           court shall waive all remaining court financial  
5           obligations. To rebut the presumption, the prosecutor  
6           shall provide testimony or evidence showing that the  
7           defendant has income above one hundred fifty percent  
8           (150%) of the federal poverty level and that the  
9           defendant has excess funds after meeting his or her  
10          basic needs to pay remaining court financial  
11          obligations in full within the following six (6)  
12          months. If the evidence shows the defendant can pay  
13          the remaining court financial obligations in part  
14          within the following six (6) months, the court shall  
15          reduce the remaining court financial obligations to  
16          the amount the defendant can pay within the following  
17          six (6) months.

18           3. In determining the ability of a defendant to pay, the court  
19 shall consider the following factors:

- 20           a. individual and household income,
- 21           b. household living expenses,
- 22           c. number of dependents,
- 23           d. assets,
- 24           e. child support obligations,

- f. physical or mental health conditions that diminish the ability to generate income or manage resources,
- g. additional case-related expenses to be paid by the defendant, and
- h. any other factors relevant to the ability of the defendant to pay.

4. In determining the ability of a defendant to pay, the following shall not be considered as income or assets:

- a. child support income,
- b. any monies received from a federal, state, or tribal government need-based or disability assistance program, or
- c. assets exempt from bankruptcy.

5. Defendants in the following circumstances are presumed unable to pay and eligible for relief under paragraph 2 of this subsection:

- a. designated as totally disabled by any federal, state, or tribal disability services program including but not limited to military disability, Social Security Disability Insurance, Supplemental Security Income, or tribal disability benefits,
- b. receives support from the Temporary Assistance for Needy Families program, Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition

1 Program for Women, Infants, and Children nutrition  
2 education and supplemental food program, or any other  
3 federal need-based financial support,

4 c. receives subsidized housing support through the  
5 Housing Choice Voucher program, the United States  
6 Department of Housing and Urban Development, or other  
7 state, local, or federal government housing subsidy  
8 program, or

9 d. total income is below one hundred fifty percent (150%)  
10 of the federal poverty level.

11 C. 1. At the time of a plea or sentencing, the court shall  
12 inform the defendant of the total court financial obligations owed,  
13 the consequences of failing to pay the court financial obligations,  
14 and that the defendant may request a cost hearing if at any time he  
15 or she is unable to pay the court financial obligations, at which  
16 point the court may waive all or part of the debt owed. If the  
17 total amount of court financial obligations owed is not available at  
18 the time of the plea or sentencing, the court shall inform the  
19 defendant that court financial obligations have been incurred and  
20 the time and location where the defendant may learn of the total  
21 amount owed.

22 2. The court shall order the defendant to appear immediately  
23 after sentencing at the office of the court clerk to provide current  
24 contact information and to either select payment terms or request a

1 cost hearing. Failure to immediately report to the court clerk  
2 shall result in the full amount of court financial obligations to be  
3 due thirty (30) days from the date of the plea or sentencing in  
4 district courts or thirty (30) days from the date of the plea or  
5 sentencing in municipal courts.

6 3. Payment of court financial obligations may be made under the  
7 following terms:

- 8 a. payment in full, or
- 9 b. payment in installments.

10 Upon any change in circumstances affecting the ability of a  
11 defendant to pay, a defendant may request a cost hearing before the  
12 court by contacting the court clerk.

13 4. The district court for each county and all municipal courts  
14 shall provide a cost hearing for any defendant upon request, either  
15 by establishing a dedicated docket or on an as-requested basis. A  
16 defendant who requests a cost hearing will receive a summons by  
17 personal service or by United States mail to appear in court as  
18 required by subsection G of this section. If a defendant fails to  
19 appear for a requested cost hearing, the court may issue either a  
20 cost cite and release warrant or a cost arrest warrant. No fees  
21 shall be assessed or collected from the defendant as a consequence  
22 of either requesting a cost hearing or the issuing of a cost cite  
23 and release warrant.

1 D. In determining the ability of the defendant to pay court  
2 financial obligations, the court may rely on testimony, relevant  
3 documents, and any information provided by the defendant using a  
4 cost hearing affidavit promulgated by the Court of Criminal Appeals.  
5 In addition, the court may make inquiry of the defendant and  
6 consider any other evidence or testimony concerning the ability of  
7 the defendant to pay.

8 E. 1. If at the initial cost hearing or any subsequent cost  
9 hearing, the court determines that the defendant is able to pay some  
10 or all of the court financial obligations, the court may order any  
11 of the following conditions for payment:

- 12 a. payment in full,
- 13 b. payment in installments,
- 14 c. financial incentive under a set of conditions  
15 determined by the court, or
- 16 d. community service in lieu of payment; provided, the  
17 defendant shall receive credit for no less than two  
18 times the amount of the minimum wage specified  
19 pursuant to state law for each hour of community  
20 service.

21 2. Any defendant who fails to comply with the terms of the  
22 payment plan ordered by the court shall be considered delinquent and  
23 the court may issue either a cost cite and release warrant or a cost  
24 arrest warrant.



1 F. If the court determines that a waiver of any of the court  
2 financial obligations is warranted, the court shall apply the same  
3 percentage reduction equally to all fines, costs, fees, and  
4 assessments, excluding restitution.

5 G. 1. A defendant is considered delinquent in the payment of  
6 court financial obligations under the following circumstances:

7 a. when the total amount due has not been paid by the due  
8 date, or

9 b. when no installment payments have been received in the  
10 most recent ninety-day period.

11 2. The court clerk shall periodically review cases for  
12 delinquency at least once every six (6) months and, upon identifying  
13 a delinquent defendant, notify the court which shall, within ten  
14 (10) days thereafter, set a cost hearing for the court to determine  
15 if the defendant is able to pay. The cost hearing shall be set  
16 within forty-five (45) days of the issuance of the summons. The  
17 hearing shall be set on a date that shall allow the court clerk to  
18 issue a summons fourteen (14) days prior to the cost hearing.  
19 Defendants shall incur no additional fees associated with the  
20 issuance of the summons.

21 3. At least fourteen (14) days prior to the cost hearing, the  
22 court clerk shall issue one summons to the defendant to be served by  
23 United States mail to the mailing address of the defendant on file  
24 in the case, substantially as follows:

1 SUMMONS

2 You are ORDERED to appear for a COST HEARING at a specified  
3 time, place, and date to determine if you are financially able to  
4 pay the fines, costs, fees, or assessments or an installment due in  
5 Case No. \_\_\_\_\_.

6 YOU MUST BE PRESENT AT THE HEARING.

7 At any time before the date of the cost hearing, you may contact  
8 the court clerk and pay the amount due or request in writing or in  
9 person prior to the court date, that the hearing be rescheduled for  
10 no later than thirty (30) days after the scheduled time.

11 THIS IS NOT AN ARREST WARRANT. However, if you fail to appear  
12 for the cost hearing or pay the amount due, the court may issue a  
13 WARRANT and may refer the case to a court cost compliance liaison  
14 which will cause an additional administrative fee of up to thirty-  
15 five percent (35%) to be added to the amount owed and may include  
16 additional costs imposed by the court.

17 4. Referrals to the court cost compliance program as provided  
18 in subsection L of this section shall be made as follows:

- 19 a. courts shall refer a case to the court cost compliance  
20 program upon the issuance of a cost arrest warrant,  
21 b. courts may refer a case to the court cost compliance  
22 program upon the issuance of a cost cite and release  
23 warrant, or  
24

1           c.     courts may refer a case to the court cost compliance  
2                   program without the issuance of a warrant; provided,  
3                   the defendant is delinquent and has had sufficient  
4                   notice and opportunity to have a cost hearing.

5           5.    A municipal court, in lieu of mailing the summons provided  
6           for in this subsection, may give the summons to the defendant in  
7           person at the time of sentencing or subsequent appearance of a  
8           specific date, time, and place, not fewer than thirty (30) days nor  
9           more than one hundred twenty (120) days from the date of sentencing  
10          to appear for a cost hearing if the court financial obligations  
11          remain unpaid.

12          H.   1.   If a defendant is found by a law enforcement officer to  
13          have an outstanding cost cite and release warrant, the law  
14          enforcement officer shall issue a Warning/Notice to appear within  
15          ten (10) days of release from detention on the warrant to the court  
16          clerk of the court in which the court financial obligations are  
17          owed.   If the officer has the necessary equipment, the officer shall  
18          immediately transmit the Warning/Notice electronically to the court  
19          clerk of the court in which the court financial obligations are  
20          owed.   The law enforcement officer shall not take the defendant into  
21          custody on the cite and release warrant.   If the law enforcement  
22          officer is unable to transmit the Warning/Notice electronically to  
23          the court clerk, the officer shall inform the appropriate department  
24          staff member within the agency of the law enforcement officer of the

1 Warning/Notice within five (5) days. The department staff member  
2 shall then promptly notify the law enforcement agency in the  
3 jurisdiction that issued the warrant electronically who shall  
4 promptly notify the court clerk. The electronic communication shall  
5 be treated as a duplicate original for all purposes in any  
6 subsequent hearings before the appropriate court.

7 2. If the defendant reports to the office of the court clerk  
8 within the ten (10) days, the court clerk shall:

- 9 a. inform the court of the Warning/Notice to the  
10 defendant and contact,
- 11 b. schedule a cost hearing pursuant to applicable local  
12 court rule, and
- 13 c. submit the warrant to the court for recall pending the  
14 cost hearing.

15 3. If the defendant fails to report to the office of the court  
16 clerk within the ten (10) days, the court may issue a cost arrest  
17 warrant for the arrest of the defendant.

18 4. Following an arrest on a cost arrest warrant, the defendant  
19 must be released after seventy-two (72) hours in custody. The  
20 defendant may be released prior to seventy-two (72) hours if:

- 21 a. the custodian is presented with proof of payment in  
22 the amount of One Hundred Dollars (\$100.00) to each  
23 jurisdiction where the court financial obligations are  
24 owed and the new cost hearing date is provided,

1           b.    the court releases the defendant on the defendant's  
2               own recognizance and a new cost hearing date is  
3               provided, or

4           c.    the court conducts a cost or willfulness hearing, as  
5               appropriate, pursuant to the provisions of this  
6               section and determines the defendant should be  
7               released.

8           5.    The provisions for issuing a separate summons described in  
9               subsection G of this section shall not apply to a municipal court if  
10              the municipal court has previously provided actual personal notice  
11              to the defendant of an opportunity for a cost hearing. If such  
12              notice was given and the defendant fails to appear, the municipal  
13              court may issue either a cost cite and release warrant or a cost  
14              arrest warrant.

15          6.    All warrants for failure to appear at a cost hearing or for  
16               failure to pay court financial obligations which have been issued  
17               prior to the effective date of this act and which remain unserved,  
18               shall be treated as cost cite and release warrants. All warrant  
19               fees assessed for warrants for failure to appear at a cost hearing  
20               or for failure to pay court financial obligations issued prior to  
21               the effective date of this act shall remain in effect unless waived  
22               by the court.

23          I.    Supporting documents in a motion or affidavit for relief  
24               from court financial obligation debt or any documents taken into

1 evidence during a cost hearing or willfulness hearing shall not be  
2 viewable by the public on a court-controlled website.

3 J. 1. After a cost hearing where a defendant is found able to  
4 pay a court financial obligation, either in whole or in part, and  
5 then becomes delinquent in that payment, a court may conduct a  
6 willfulness hearing at any time beginning immediately after a cost  
7 hearing has been held and a decision rendered on the court financial  
8 obligations. Findings of a defendant's prior ability to pay may be  
9 considered as evidence of ability to pay or willfulness at the  
10 hearing. The requirements of this paragraph shall not be construed  
11 to prohibit the court from holding subsequent cost hearings on the  
12 same court financial obligations.

13 2. At a willfulness hearing, the court shall evaluate the  
14 following:

- 15 a. whether a cost hearing has been held previously where  
16 evidence relating to ability to pay was presented and  
17 the court found the defendant was able to pay the  
18 court financial obligations, either in whole or in  
19 part,
- 20 b. whether there is any new evidence of ability to pay  
21 not previously considered or a change in circumstances  
22 since the cost hearing,

- c. whether the defendant was afforded sufficient time and opportunity to fulfill the obligation to pay the court financial obligations,
- d. whether the defendant made any efforts to satisfy the court financial obligations, and
- e. whether there are any other relevant facts or circumstances.

3. After a finding of willful failure to pay court financial obligations, the court may impose a jail sentence pursuant to Section 101 of Title 28 of the Oklahoma Statutes. A jail sentence may be imposed only under the following circumstances:

- a. the hearing is conducted on the record pursuant to the rules promulgated by the Court of Criminal Appeals, and
- b. the defendant is represented by counsel or expressly waives his or her right to counsel.

4. If a jail sentence is imposed, the court may grant credit for any time already served. At any time after incarceration, the jail sentence may be satisfied upon payment in full of the outstanding balance with credit for any time already served.

K. The district court or municipal court, within one hundred twenty (120) days from the date upon which the person fails to comply with the financial obligation as ordered by the court or fails to appear for the offered cost or willfulness hearing, may, if

1 the defendant has previously been notified of the possibility of a  
2 suspension, send notice of nonpayment of any court-ordered financial  
3 obligation for a moving traffic violation to Service Oklahoma with a  
4 recommendation of suspension of driving privileges of the defendant  
5 until the total amount of any court financial obligation has been  
6 paid or waived by the court. Upon receipt of payment of the total  
7 amount of the court financial obligations for the moving traffic  
8 violation, the court shall send notice thereof to Service Oklahoma,  
9 if a nonpayment notice was sent as provided for in this subsection.  
10 Notices sent to Service Oklahoma shall be on forms or by a method  
11 approved by Service Oklahoma.

12 L. Every county and district court of this state shall fully  
13 utilize and participate in the court cost compliance program. Cases  
14 shall be referred to the court cost compliance program no more than  
15 sixty (60) days after the court has ordered the referral pursuant to  
16 paragraph 4 of subsection G of this section, unless the defendant  
17 pays the amount owed on the court financial obligation or an  
18 installment due. When the court refers a case, the updated contact  
19 information on file shall be forwarded to a court cost compliance  
20 liaison for collection purposes.

21 M. The Court of Criminal Appeals shall implement procedures and  
22 rules for implementation of the requirements of this section. Such  
23 procedures, rules, and any supplemental forms may be made available  
24 by the Administrative Office of the Courts.



SECTION 3. AMENDATORY 22 O.S. 2021, Section 991a, as last amended by Section 1, Chapter 306, O.S.L. 2025 (22 O.S. Supp. 2025, Section 991a), is amended to read as follows:

Section 991a. A. Except as otherwise provided in the Elderly and Incapacitated Victim's Protection Program, when a defendant is convicted of a crime and no death sentence is imposed, the court shall either:

1. Suspend the execution of sentence in whole or in part, with or without probation. The court, in addition, may order the convicted defendant at the time of sentencing or at any time during the suspended sentence to do one or more of the following:

- a. to provide restitution to the victim as provided by Section 991f et seq. of this title or according to a schedule of payments established by the sentencing court, together with interest upon any pecuniary sum at the rate of twelve percent (12%) per annum, if the defendant agrees to pay such restitution or, in the opinion of the court, if the defendant is able to pay such restitution without imposing manifest hardship on the defendant or the immediate family and if the extent of the damage to the victim is determinable with reasonable certainty,
- b. to reimburse any state agency for amounts paid by the state agency for hospital and medical expenses

1 incurred by the victim or victims, as a result of the  
2 criminal act for which such person was convicted,  
3 which reimbursement shall be made directly to the  
4 state agency, with interest accruing thereon at the  
5 rate of twelve percent (12%) per annum,

6 c. to engage in a term of community service without  
7 compensation, according to a schedule consistent with  
8 the employment and family responsibilities of the  
9 person convicted,

10 d. to pay a reasonable sum into any trust fund  
11 established pursuant to the provisions of Sections 176  
12 through 180.4 of Title 60 of the Oklahoma Statutes and  
13 which provides restitution payments by convicted  
14 defendants to victims of crimes committed within this  
15 state wherein such victim has incurred a financial  
16 loss,

17 e. to confinement in the county jail for a period not to  
18 exceed six (6) months,

19 f. to confinement as provided by law together with a term  
20 of post-imprisonment community supervision for not  
21 less than three (3) years of the total term allowed by  
22 law for imprisonment, with or without restitution;  
23 provided, however, the authority of this provision is  
24 limited to Section 843.5 of Title 21 of the Oklahoma

1 Statutes when the offense involved sexual abuse or  
2 sexual exploitation; Sections 681, 741 and 843.1 of  
3 Title 21 of the Oklahoma Statutes when the offense  
4 involved sexual abuse or sexual exploitation; and  
5 Sections 865 et seq., 885, 886, 888, 891, 1021,  
6 1021.2, 1021.3, 1040.13a, 1087, 1088, 1111.1, 1115 and  
7 1123 of Title 21 of the Oklahoma Statutes,

8 g. to repay the reward or part of the reward paid by a  
9 local certified crime stoppers program and the  
10 Oklahoma Reward System. In determining whether the  
11 defendant shall repay the reward or part of the  
12 reward, the court shall consider the ability of the  
13 defendant to make the payment, the financial hardship  
14 on the defendant to make the required payment and the  
15 importance of the information to the prosecution of  
16 the defendant as provided by the arresting officer or  
17 the district attorney with due regard for the  
18 confidentiality of the records of the local certified  
19 crime stoppers program and the Oklahoma Reward System.  
20 The court shall assess this repayment against the  
21 defendant as a cost of prosecution. The term  
22 "certified" means crime stoppers organizations that  
23 annually meet the certification standards for crime  
24 stoppers programs established by the Oklahoma Crime

1           Stoppers Association to the extent those standards do  
2           not conflict with state statutes. The term "court"  
3           refers to all municipal and district courts within  
4           this state. The "Oklahoma Reward System" means the  
5           reward program established by Section 150.18 of Title  
6           74 of the Oklahoma Statutes,

7           h. to reimburse the Oklahoma State Bureau of  
8           Investigation for costs incurred by that agency during  
9           its investigation of the crime for which the defendant  
10          pleaded guilty, nolo contendere or was convicted  
11          including compensation for laboratory, technical or  
12          investigation services performed by the Bureau if, in  
13          the opinion of the court, the defendant is able to pay  
14          without imposing manifest hardship on the defendant,  
15          and if the costs incurred by the Bureau during the  
16          investigation of the defendant's case may be  
17          determined with reasonable certainty,

18          i. to reimburse the Oklahoma State Bureau of  
19          Investigation and any authorized law enforcement  
20          agency for all costs incurred by that agency for  
21          cleaning up an illegal drug laboratory site for which  
22          the defendant pleaded guilty, nolo contendere or was  
23          convicted. The court clerk shall collect the amount  
24          and may retain five percent (5%) of such monies to be

1 deposited in the Court Clerk's Revolving Fund to cover  
2 administrative costs and shall remit the remainder to  
3 the Oklahoma State Bureau of Investigation to be  
4 deposited in the OSBI Revolving Fund established by  
5 Section 150.19a of Title 74 of the Oklahoma Statutes  
6 or to the general fund wherein the other law  
7 enforcement agency is located,

8 j. to pay a reasonable sum to the Crime Victims  
9 Compensation Board, created by Section 142.2 et seq.  
10 of Title 21 of the Oklahoma Statutes, for the benefit  
11 of crime victims,

12 k. to reimburse the court fund for amounts paid to court-  
13 appointed attorneys for representing the defendant in  
14 the case in which the person is being sentenced,

15 l. to participate in an assessment and evaluation by an  
16 assessment agency or assessment personnel certified by  
17 the Department of Mental Health and Substance Abuse  
18 Services pursuant to Section 3-460 of Title 43A of the  
19 Oklahoma Statutes and, as determined by the  
20 assessment, participate in an alcohol and drug  
21 substance abuse course or treatment program or both,  
22 pursuant to Sections 3-452 and 3-453 of Title 43A of  
23 the Oklahoma Statutes, or as ordered by the court,  
24

1           m.    to be placed in a victims impact panel program, as  
2                defined in subsection H of this section, or  
3                victim/offender reconciliation program and payment of  
4                a fee to the program of Seventy-five Dollars (\$75.00)  
5                as set by the governing authority of the program to  
6                offset the cost of participation by the defendant.  
7                Provided, each victim/offender reconciliation program  
8                shall be required to obtain a written consent form  
9                voluntarily signed by the victim and defendant that  
10              specifies the methods to be used to resolve the  
11              issues, the obligations and rights of each person and  
12              the confidentiality of the proceedings. Volunteer  
13              mediators and employees of a victim/offender  
14              reconciliation program shall be immune from liability  
15              and have rights of confidentiality as provided in  
16              Section 1805 of Title 12 of the Oklahoma Statutes,  
17           n.    to install, at the expense of the defendant, an  
18                ignition interlock device approved by the Board of  
19                Tests for Alcohol and Drug Influence. The device  
20                shall be installed upon every motor vehicle operated  
21                by the defendant, and the court shall require that a  
22                notation of this restriction be affixed to the  
23                defendant's driver license. The restriction shall  
24                remain on the driver license not exceeding two (2)

years to be determined by the court. The restriction may be modified or removed only by order of the court and notice of any modification order shall be given to Service Oklahoma. Upon the expiration of the period for the restriction, Service Oklahoma shall remove the restriction without further court order. Failure to comply with the order to install an ignition interlock device or operating any vehicle without a device during the period of restriction shall be a violation of the sentence and may be punished as deemed proper by the sentencing court. As used in this paragraph, "ignition interlock device" means a device that, without tampering or intervention by another person, would prevent the defendant from operating a motor vehicle if the defendant has a blood or breath alcohol concentration of two-hundredths (0.02) or greater,

o. to be confined by electronic monitoring administered and supervised by the Department of Corrections or a community sentence provider, and payment of a monitoring fee to the supervising authority, not to exceed Three Hundred Dollars (\$300.00) per month. Any fees collected pursuant to this subparagraph shall be deposited with the appropriate supervising authority.

Any willful violation of an order of the court for the

1 payment of the monitoring fee shall be a violation of  
2 the sentence and may be punished as deemed proper by  
3 the sentencing court. As used in this paragraph,  
4 "electronic monitoring" means confinement of the  
5 defendant within a specified location or locations  
6 with supervision by means of an electronic device  
7 approved by the Department of Corrections which is  
8 designed to detect if the defendant is in the court-  
9 ordered location at the required times and which  
10 records violations for investigation by a qualified  
11 supervisory agency or person,

12 p. to perform one or more courses of treatment, education  
13 or rehabilitation for any conditions, behaviors,  
14 deficiencies or disorders which may contribute to  
15 criminal conduct including but not limited to alcohol  
16 and substance abuse, mental health, emotional health,  
17 physical health, propensity for violence, antisocial  
18 behavior, personality or attitudes, deviant sexual  
19 behavior, child development, parenting assistance, job  
20 skills, vocational-technical skills, domestic  
21 relations, literacy, education or any other  
22 identifiable deficiency which may be treated  
23 appropriately in the community and for which a  
24 certified provider or a program recognized by the



1 court as having significant positive impact exists in  
2 the community. Any treatment, education or  
3 rehabilitation provider required to be certified  
4 pursuant to law or rule shall be certified by the  
5 appropriate state agency or a national organization,  
6 q. to submit to periodic testing for alcohol,  
7 intoxicating substance or controlled dangerous  
8 substances by a qualified laboratory,  
9 r. to pay a fee or costs for treatment, education,  
10 supervision, participation in a program or any  
11 combination thereof as determined by the court, based  
12 upon the defendant's ability to pay the fees or costs,  
13 s. to be supervised by a Department of Corrections  
14 employee, a private supervision provider or other  
15 person designated by the court,  
16 t. to obtain positive behavior modeling by a trained  
17 mentor,  
18 u. to serve a term of confinement in a restrictive  
19 housing facility available in the community,  
20 v. to serve a term of confinement in the county jail at  
21 night or during weekends pursuant to Section 991a-2 of  
22 this title or for work release,  
23 w. to obtain employment or participate in employment-  
24 related activities,

- 1           x.    to participate in mandatory day reporting to  
2                facilities or persons for services, payments, duties  
3                or person-to-person contacts as specified by the  
4                court,
- 5           y.    to pay day fines not to exceed fifty percent (50%) of  
6                the net wages earned. For purposes of this paragraph,  
7                "day fine" means the offender is ordered to pay an  
8                amount calculated as a percentage of net daily wages  
9                earned. The day fine shall be paid to the local  
10              community sentencing system as reparation to the  
11              community. Day fines shall be used to support the  
12              local system,
- 13          z.    to submit to blood or saliva testing as required by  
14                subsection I of this section,
- 15          aa.   to repair or restore property damaged by the  
16                defendant's conduct, if the court determines the  
17                defendant possesses sufficient skill to repair or  
18                restore the property and the victim consents to the  
19                repairing or restoring of the property,
- 20          bb.   to restore damaged property in kind or payment of out-  
21                of-pocket expenses to the victim, if the court is able  
22                to determine the actual out-of-pocket expenses  
23                suffered by the victim,
- 24

1 cc. to attend a victim-offender reconciliation program if  
2 the victim agrees to participate and the offender is  
3 deemed appropriate for participation,  
4 dd. to prioritize payments for restitution to the victim,  
5 ee. in the case of a person convicted of prostitution  
6 pursuant to Section 1029 of Title 21 of the Oklahoma  
7 Statutes, require such person to receive counseling  
8 for the behavior which may have caused such person to  
9 engage in prostitution activities. Such person may be  
10 required to receive counseling in areas including but  
11 not limited to alcohol and substance abuse, sexual  
12 behavior problems or domestic abuse or child abuse  
13 problems,  
14 ff. in the case of a sex offender sentenced after November  
15 1, 1989, and required by law to register pursuant to  
16 the Sex Offender Registration Act, the court shall  
17 require the person to comply with sex offender  
18 specific rules and conditions of supervision  
19 established by the Department of Corrections and  
20 require the person to participate in a treatment  
21 program designed for the treatment of sex offenders  
22 during the period of time while the offender is  
23 subject to supervision by the Department of  
24 Corrections. The treatment program shall include

1 polygraph examinations specifically designed for use  
2 with sex offenders for purposes of supervision and  
3 treatment compliance, and shall be administered not  
4 less than each six (6) months during the period of  
5 supervision. The examination shall be administered by  
6 a certified licensed polygraph examiner. The  
7 treatment program must be approved by the Department  
8 of Corrections or the Department of Mental Health and  
9 Substance Abuse Services. Such treatment shall be at  
10 the expense of the defendant based on the defendant's  
11 ability to pay,

12 gg. in addition to other sentencing powers of the court,  
13 the court in the case of a defendant being sentenced  
14 for a felony conviction for a violation of Section 2-  
15 402 of Title 63 of the Oklahoma Statutes which  
16 involves marijuana may require the person to  
17 participate in a drug court program, if available. If  
18 a drug court program is not available, the defendant  
19 may be required to participate in a community  
20 sanctions program, if available,

21 hh. in the case of a person convicted of any false or  
22 bogus check violation, as defined in Section 1541.4 of  
23 Title 21 of the Oklahoma Statutes, impose a fee of  
24 Twenty-five Dollars (\$25.00) to the victim for each

1 check, and impose a bogus check fee to be paid to the  
2 district attorney. The bogus check fee paid to the  
3 district attorney shall be equal to the amount  
4 assessed as court costs plus Twenty-five Dollars  
5 (\$25.00) for each check upon filing of the case in  
6 district court. This money shall be deposited in the  
7 Bogus Check Restitution Program Fund as established in  
8 subsection B of Section 114 of this title.

9 Additionally, the court may require the offender to  
10 pay restitution and bogus check fees on any other  
11 bogus check or checks that have been submitted to the  
12 Bogus Check Restitution Program, and

13 ii. any other provision specifically ordered by the court.

14 However, any such order for restitution, community service,  
15 payment to a local certified crime stoppers program, payment to the  
16 Oklahoma Reward System or confinement in the county jail, or a  
17 combination thereof, shall be made in conjunction with probation and  
18 shall be made a condition of the suspended sentence.

19 ~~However, unless under the supervision of the district attorney,~~  
20 ~~the offender shall be required to pay Forty Dollars (\$40.00) per~~  
21 ~~month to the district attorney during the first two (2) years of~~  
22 ~~probation to compensate the district attorney for the costs incurred~~  
23 ~~during the prosecution of the offender and for the additional work~~  
24 ~~of verifying the compliance of the offender with the rules and~~

1 ~~conditions of his or her probation. The district attorney may waive~~  
2 ~~any part of this requirement in the best interests of justice. The~~  
3 ~~court shall not waive, suspend, defer or dismiss the costs of~~  
4 ~~prosecution in its entirety. However, if the court determines that~~  
5 ~~a reduction in the fine, costs and costs of prosecution is~~  
6 ~~warranted, the court shall equally apply the same percentage~~  
7 ~~reduction to the fine, costs and costs of prosecution owed by the~~  
8 ~~offender~~ Beginning November 1, 2026, the unpaid balance of any fee  
9 assessed for the costs of supervision by the district attorney owed  
10 by a defendant in his or her criminal case shall be waived and  
11 deemed unenforceable and uncollectible. Any portion of a judgment  
12 imposing such fees shall be vacated;

13 2. Impose a fine prescribed by law for the offense, with or  
14 without probation or commitment and with or without restitution or  
15 service as provided for in this section, Section 991a-4.1 of this  
16 title or Section 227 of Title 57 of the Oklahoma Statutes;

17 3. Commit such person for confinement provided for by law with  
18 or without restitution as provided for in this section;

19 4. Order the defendant to reimburse the Oklahoma State Bureau  
20 of Investigation for costs incurred by that agency during its  
21 investigation of the crime for which the defendant pleaded guilty,  
22 nolo contendere or was convicted including compensation for  
23 laboratory, technical or investigation services performed by the  
24 Bureau if, in the opinion of the court, the defendant is able to pay

1 without imposing manifest hardship on the defendant, and if the  
2 costs incurred by the Bureau during the investigation of the  
3 defendant's case may be determined with reasonable certainty;

4 5. Order the defendant to reimburse the Oklahoma State Bureau  
5 of Investigation for all costs incurred by that agency for cleaning  
6 up an illegal drug laboratory site for which the defendant pleaded  
7 guilty, nolo contendere or was convicted. The court clerk shall  
8 collect the amount and may retain five percent (5%) of such monies  
9 to be deposited in the Court Clerk's Revolving Fund to cover  
10 administrative costs and shall remit the remainder to the Oklahoma  
11 State Bureau of Investigation to be deposited in the OSBI Revolving  
12 Fund established by Section 150.19a of Title 74 of the Oklahoma  
13 Statutes;

14 6. In the case of nonviolent felony offenses, sentence such  
15 person to the Community Service Sentencing Program;

16 7. In addition to the other sentencing powers of the court, in  
17 the case of a person convicted of operating or being in control of a  
18 motor vehicle while the person was under the influence of alcohol,  
19 other intoxicating substance or a combination of alcohol or another  
20 intoxicating substance, or convicted of operating a motor vehicle  
21 while the ability of the person to operate such vehicle was impaired  
22 due to the consumption of alcohol, require such person:

- 23 a. to participate in an alcohol and drug assessment and  
24 evaluation by an assessment agency or assessment

1 personnel certified by the Department of Mental Health  
2 and Substance Abuse Services pursuant to Section 3-460  
3 of Title 43A of the Oklahoma Statutes and, as  
4 determined by the assessment, participate in an  
5 alcohol and drug substance abuse course or treatment  
6 program or both, pursuant to Sections 3-452 and 3-453  
7 of Title 43A of the Oklahoma Statutes,

8 b. to attend a victims impact panel program, as defined  
9 in subsection H of this section, and to pay a fee of  
10 Seventy-five Dollars (\$75.00) as set by the governing  
11 authority of the program and approved by the court, to  
12 the program to offset the cost of participation by the  
13 defendant, if in the opinion of the court the  
14 defendant has the ability to pay such fee,

15 c. to both participate in the alcohol and drug substance  
16 abuse course or treatment program, pursuant to  
17 subparagraph a of this paragraph and attend a victims  
18 impact panel program, pursuant to subparagraph b of  
19 this paragraph,

20 d. to install, at the expense of the person, an ignition  
21 interlock device approved by the Board of Tests for  
22 Alcohol and Drug Influence, upon every motor vehicle  
23 operated by such person and to require that a notation  
24 of this restriction be affixed to the person's driver



1 license at the time of reinstatement of the license.  
2 The restriction shall remain on the driver license for  
3 such period as the court shall determine. The  
4 restriction may be modified or removed by order of the  
5 court and notice of the order shall be given to  
6 Service Oklahoma. Upon the expiration of the period  
7 for the restriction, Service Oklahoma shall remove the  
8 restriction without further court order. Failure to  
9 comply with the order to install an ignition interlock  
10 device or operating any vehicle without such device  
11 during the period of restriction shall be a violation  
12 of the sentence and may be punished as deemed proper  
13 by the sentencing court, or

14 e. beginning January 1, 1993, to submit to electronically  
15 monitored home detention administered and supervised  
16 by the Department of Corrections, and to pay to the  
17 Department a monitoring fee, not to exceed Seventy-  
18 five Dollars (\$75.00) a month, to the Department of  
19 Corrections, if in the opinion of the court the  
20 defendant has the ability to pay such fee. Any fees  
21 collected pursuant to this subparagraph shall be  
22 deposited in the Department of Corrections Revolving  
23 Fund. Any order by the court for the payment of the  
24

1 monitoring fee, if willfully disobeyed, may be  
2 enforced as an indirect contempt of court;

3 8. In addition to the other sentencing powers of the court, in  
4 the case of a person convicted of prostitution pursuant to Section  
5 1029 of Title 21 of the Oklahoma Statutes, require such person to  
6 receive counseling for the behavior which may have caused such  
7 person to engage in prostitution activities. Such person may be  
8 required to receive counseling in areas including but not limited to  
9 alcohol and substance abuse, sexual behavior problems or domestic  
10 abuse or child abuse problems;

11 9. In addition to the other sentencing powers of the court, in  
12 the case of a person convicted of any crime related to domestic  
13 abuse, as defined in Section 60.1 of this title, the court may  
14 require the defendant to undergo the treatment or participate in the  
15 counseling services necessary to bring about the cessation of  
16 domestic abuse against the victim. The defendant may be required to  
17 pay all or part of the cost of the treatment or counseling services;

18 10. In addition to the other sentencing powers of the court,  
19 the court, in the case of a sex offender sentenced after November 1,  
20 1989, and required by law to register pursuant to the Sex Offenders  
21 Registration Act, shall require the defendant to participate in a  
22 treatment program designed specifically for the treatment of sex  
23 offenders, if available. The treatment program will include  
24 polygraph examinations specifically designed for use with sex

1 offenders for the purpose of supervision and treatment compliance,  
2 provided the examination is administered by a certified licensed  
3 polygraph examiner. The treatment program must be approved by the  
4 Department of Corrections or the Department of Mental Health and  
5 Substance Abuse Services. Such treatment shall be at the expense of  
6 the defendant based on the ability of the defendant to pay;

7 11. In addition to the other sentencing powers of the court,  
8 the court, in the case of a person convicted of abuse or neglect of  
9 a child, as defined in Section 1-1-105 of Title 10A of the Oklahoma  
10 Statutes, may require the person to undergo treatment or to  
11 participate in counseling services. The defendant may be required  
12 to pay all or part of the cost of the treatment or counseling  
13 services;

14 12. In addition to the other sentencing powers of the court,  
15 the court, in the case of a person convicted of cruelty to animals  
16 pursuant to Section 1685 of Title 21 of the Oklahoma Statutes, may  
17 require the person to pay restitution to animal facilities for  
18 medical care and any boarding costs of victimized animals;

19 13. In addition to the other sentencing powers of the court, a  
20 sex offender who is habitual or aggravated as defined by Section 584  
21 of Title 57 of the Oklahoma Statutes and who is required to register  
22 as a sex offender pursuant to the Sex Offenders Registration Act  
23 shall be supervised by the Department of Corrections for the  
24 duration of the registration period and shall be assigned to a

1 global position monitoring device by the Department of Corrections  
2 for the duration of the registration period. The cost of such  
3 monitoring device shall be reimbursed by the offender;

4 14. In addition to the other sentencing powers of the court, in  
5 the case of a sex offender who is required by law to register  
6 pursuant to the Sex Offenders Registration Act, the court may  
7 prohibit the person from accessing or using any Internet social  
8 networking website that has the potential or likelihood of allowing  
9 the sex offender to have contact with any child who is under the age  
10 of eighteen (18) years;

11 15. In addition to the other sentencing powers of the court, in  
12 the case of a sex offender who is required by law to register  
13 pursuant to the Sex Offenders Registration Act, the court shall  
14 require the person to register any electronic mail address  
15 information, instant message, chat or other Internet communication  
16 name or identity information that the person uses or intends to use  
17 while accessing the Internet or used for other purposes of social  
18 networking or other similar Internet communication; or

19 16. In addition to the other sentencing powers of the court,  
20 and pursuant to the terms and conditions of a written plea  
21 agreement, the court may prohibit the defendant from entering,  
22 visiting or residing within the judicial district in which the  
23 defendant was convicted until after completion of his or her  
24 sentence; provided, however, the court shall ensure that the

1 defendant has access to those services or programs for which the  
2 defendant is required to participate as a condition of probation.  
3 When seeking to enter the prohibited judicial district for personal  
4 business not related to his or her criminal case, the defendant  
5 shall be required to obtain approval by the court.

6 B. Notwithstanding any other provision of law, any person who  
7 is found guilty of a violation of any provision of Section 761 or  
8 11-902 of Title 47 of the Oklahoma Statutes or any person pleading  
9 guilty or nolo contendere for a violation of any provision of such  
10 sections shall be ordered to participate in, prior to sentencing, an  
11 alcohol and drug assessment and evaluation by an assessment agency  
12 or assessment personnel certified by the Department of Mental Health  
13 and Substance Abuse Services for the purpose of evaluating the  
14 receptivity to treatment and prognosis of the person. The court  
15 shall order the person to reimburse the agency or assessor for the  
16 evaluation. The fee shall be the amount provided in subsection C of  
17 Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation  
18 shall be conducted at a certified assessment agency, the office of a  
19 certified assessor or at another location as ordered by the court.  
20 The agency or assessor shall, within seventy-two (72) hours from the  
21 time the person is assessed, submit a written report to the court  
22 for the purpose of assisting the court in its final sentencing  
23 determination. No person, agency or facility operating an alcohol  
24 and drug substance abuse evaluation program certified by the

1 Department of Mental Health and Substance Abuse Services shall  
2 solicit or refer any person evaluated pursuant to this subsection  
3 for any treatment program or alcohol and drug substance abuse  
4 service in which such person, agency or facility has a vested  
5 interest; however, this provision shall not be construed to prohibit  
6 the court from ordering participation in or any person from  
7 voluntarily utilizing a treatment program or alcohol and drug  
8 substance abuse service offered by such person, agency or facility.  
9 If a person is sentenced to the custody of the Department of  
10 Corrections and the court has received a written evaluation report  
11 pursuant to this subsection, the report shall be furnished to the  
12 Department of Corrections with the judgment and sentence. Any  
13 evaluation report submitted to the court pursuant to this subsection  
14 shall be handled in a manner which will keep such report  
15 confidential from the general public's review. Nothing contained in  
16 this subsection shall be construed to prohibit the court from  
17 ordering judgment and sentence in the event the defendant fails or  
18 refuses to comply with an order of the court to obtain the  
19 evaluation required by this subsection.

20 C. When sentencing a person convicted of a crime, the court  
21 shall first consider a program of restitution for the victim, as  
22 well as imposition of a fine or incarceration of the offender. The  
23 provisions of paragraph 1 of subsection A of this section shall not  
24 apply to defendants being sentenced upon their third or subsequent

1 to their third conviction of a felony. Provided, the court may  
2 waive these prohibitions upon written application of the district  
3 attorney. Both the application and the waiver shall be made part of  
4 the record of the case.

5 D. When sentencing a person convicted of a crime, the judge  
6 shall consider any victim impact statements if submitted to the  
7 jury, or the judge in the event a jury is waived.

8 E. Probation, for purposes of subsection A of this section, is  
9 a procedure by which a defendant found guilty of a crime, whether  
10 upon a verdict or plea of guilty or upon a plea of nolo contendere,  
11 is released by the court subject to conditions imposed by the court  
12 and subject to supervision by the Department of Corrections, a  
13 private supervision provider or other person designated by the  
14 court. Such supervision shall be initiated upon an order of  
15 probation from the court, and shall not exceed two (2) years, unless  
16 a petition alleging a violation of any condition of deferred  
17 judgment or seeking revocation of the suspended sentence is filed  
18 during the supervision, or as otherwise provided by law. In the  
19 case of a person convicted of a sex offense, supervision shall begin  
20 immediately upon release from incarceration or if parole is granted  
21 and shall not be limited to two (2) years. Provided further, any  
22 supervision provided for in this section may be extended for a  
23 period not to exceed the expiration of the maximum term or terms of  
24 the sentence upon a determination by the court or the Division of

1 Probation and Parole of the Department of Corrections that the best  
2 interests of the public and the release will be served by an  
3 extended period of supervision.

4 F. The Department of Corrections, or such other agency as the  
5 court may designate, shall be responsible for the monitoring and  
6 administration of the restitution and service programs provided for  
7 by subparagraphs a, c and d of paragraph 1 of subsection A of this  
8 section, and shall ensure that restitution payments are forwarded to  
9 the victim and that service assignments are properly performed.

10 G. 1. The Department of Corrections is hereby authorized,  
11 subject to funds available through appropriation by the Legislature,  
12 to contract with counties for the administration of county Community  
13 Service Sentencing Programs.

14 2. Any offender eligible to participate in the Program pursuant  
15 to this section shall be eligible to participate in a county  
16 Program; provided, participation in county-funded Programs shall not  
17 be limited to offenders who would otherwise be sentenced to  
18 confinement with the Department of Corrections.

19 3. The Department shall establish criteria and specifications  
20 for contracts with counties for such Programs. A county may apply  
21 to the Department for a contract for a county-funded Program for a  
22 specific period of time. The Department shall be responsible for  
23 ensuring that any contracting county complies in full with  
24 specifications and requirements of the contract. The contract shall



1 set appropriate compensation to the county for services to the  
2 Department.

3 4. The Department is hereby authorized to provide technical  
4 assistance to any county in establishing a Program, regardless of  
5 whether the county enters into a contract pursuant to this  
6 subsection. Technical assistance shall include appropriate  
7 staffing, development of community resources, sponsorship,  
8 supervision and any other requirements.

9 5. The Department shall annually make a report to the Governor,  
10 the President Pro Tempore of the Senate and the Speaker of the House  
11 of Representatives on the number of such Programs, the number of  
12 participating offenders, the success rates of each Program according  
13 to criteria established by the Department and the costs of each  
14 Program.

15 H. As used in this section:

16 1. "Ignition interlock device" means a device that, without  
17 tampering or intervention by another person, would prevent the  
18 defendant from operating a motor vehicle if the defendant has a  
19 blood or breath alcohol concentration of two-hundredths (0.02) or  
20 greater;

21 2. "Electronically monitored home detention" means  
22 incarceration of the defendant within a specified location or  
23 locations with monitoring by means of a device approved by the  
24

1 Department of Corrections that detects if the person leaves the  
2 confines of any specified location; and

3 3. "Victims impact panel program" means a program conducted by  
4 a corporation registered with the Secretary of State in Oklahoma for  
5 the sole purpose of operating a victims impact panel program. The  
6 program shall include live presentations from presenters who will  
7 share personal stories with participants about how alcohol, drug  
8 abuse, the operation of a motor vehicle while using an electronic  
9 communication device or the illegal conduct of others has personally  
10 impacted the lives of the presenters. A victims impact panel  
11 program shall be attended by persons who have committed the offense  
12 of driving, operating or being in actual physical control of a motor  
13 vehicle while under the influence of alcohol or other intoxicating  
14 substance, operating a motor vehicle while the ability of the person  
15 to operate such vehicle was impaired due to the consumption of  
16 alcohol or any other substance or operating a motor vehicle while  
17 using an electronic device or by persons who have been convicted of  
18 furnishing alcoholic beverage to persons under twenty-one (21) years  
19 of age, as provided in Sections 6-101 and 6-120 of Title 37A of the  
20 Oklahoma Statutes. Persons attending a victims impact panel program  
21 shall be required to pay a fee of Seventy-five Dollars (\$75.00) to  
22 the provider of the program. A certificate of completion shall be  
23 issued to the person upon satisfying the attendance and fee  
24 requirements of the victims impact panel program. The certificate

1 of completion shall contain the business identification number of  
2 the program provider. A certified assessment agency, certified  
3 assessor or provider of an alcohol and drug substance abuse course  
4 shall be prohibited from providing a victims impact panel program  
5 and shall further be prohibited from having any proprietary or  
6 pecuniary interest in a victims impact panel program. The provider  
7 of the victims impact panel program shall carry general liability  
8 insurance and maintain an accurate accounting of all business  
9 transactions and funds received in relation to the victims impact  
10 panel program. Beginning October 1, 2020, and each October 1  
11 thereafter, the provider of the victims impact panel program shall  
12 provide to the District Attorneys Council the following:

- 13 a. proof of registration with the Oklahoma Secretary of  
14 State,
- 15 b. proof of general liability insurance,
- 16 c. end-of-year financial statements prepared by a  
17 certified public accountant,
- 18 d. a copy of federal income tax returns filed with the  
19 Internal Revenue Service,
- 20 e. a registration fee of One Thousand Dollars  
21 (\$1,000.00). The registration fee shall be deposited  
22 in the District Attorneys Council Revolving Fund  
23 created in Section 215.28 of Title 19 of the Oklahoma  
24 Statutes, and

1           f.     a statement certifying that the provider of the  
2                   victims impact panel program has complied with all of  
3                   the requirements set forth in this paragraph.

4           I.   A person convicted of a felony offense or receiving any form  
5 of probation for an offense in which registration is required  
6 pursuant to the Sex Offenders Registration Act, shall submit to  
7 deoxyribonucleic acid (DNA) testing for law enforcement  
8 identification purposes in accordance with Section 150.27 of Title  
9 74 of the Oklahoma Statutes and the rules promulgated by the  
10 Oklahoma State Bureau of Investigation for the OSBI Combined DNA  
11 Index System (CODIS) Database. Subject to the availability of  
12 funds, any person convicted of a misdemeanor offense of assault and  
13 battery, domestic abuse, stalking, possession of a controlled  
14 substance prohibited under the Uniform Controlled Dangerous  
15 Substances Act, outraging public decency, resisting arrest, escape  
16 or attempting to escape, eluding a police officer, Peeping Tom,  
17 pointing a firearm, threatening an act of violence, breaking and  
18 entering a dwelling place, destruction of property, negligent  
19 homicide or causing a personal injury accident while driving under  
20 the influence of any intoxicating substance, or any alien unlawfully  
21 present under federal immigration law, upon arrest, shall submit to  
22 DNA testing for law enforcement identification purposes in  
23 accordance with Section 150.27 of Title 74 of the Oklahoma Statutes  
24 and the rules promulgated by the Oklahoma State Bureau of

1 Investigation for the OSBI Combined DNA Index System (CODIS)  
2 Database. Any defendant sentenced to probation shall be required to  
3 submit to testing within thirty (30) days of sentencing either to  
4 the Department of Corrections or to the county sheriff or other  
5 peace officer as directed by the court. Defendants who are  
6 sentenced to a term of incarceration shall submit to testing in  
7 accordance with Section 530.1 of Title 57 of the Oklahoma Statutes,  
8 for those defendants who enter the custody of the Department of  
9 Corrections or to the county sheriff, for those defendants sentenced  
10 to incarceration in a county jail. Convicted individuals who have  
11 previously submitted to DNA testing under this section and for whom  
12 a valid sample is on file in the OSBI Combined DNA Index System  
13 (CODIS) Database at the time of sentencing shall not be required to  
14 submit to additional testing. Except as required by the Sex  
15 Offenders Registration Act, a deferred judgment does not require  
16 submission to DNA testing.

17 Any person who is incarcerated in the custody of the Department  
18 of Corrections after July 1, 1996, and who has not been released  
19 before January 1, 2006, shall provide a blood or saliva sample prior  
20 to release. Every person subject to DNA testing after January 1,  
21 2006, whose sentence does not include a term of confinement with the  
22 Department of Corrections shall submit a blood or saliva sample.  
23 Every person subject to DNA testing who is sentenced to unsupervised  
24 probation or otherwise not supervised by the Department of

1 Corrections shall submit for blood or saliva testing to the sheriff  
2 of the sentencing county.

3 J. Samples of blood or saliva for DNA testing required by  
4 subsection I of this section shall be taken by employees or  
5 contractors of the Department of Corrections, peace officers, or the  
6 county sheriff or employees or contractors of the sheriff's office.  
7 The individuals shall be properly trained to collect blood or saliva  
8 samples. Persons collecting blood or saliva for DNA testing  
9 pursuant to this section shall be immune from civil liabilities  
10 arising from this activity. All collectors of DNA samples shall  
11 ensure the collection of samples are mailed to the Oklahoma State  
12 Bureau of Investigation within ten (10) days of the time the subject  
13 appears for testing or within ten (10) days of the date the subject  
14 comes into physical custody to serve a term of incarceration. All  
15 collectors of DNA samples shall use sample kits provided by the OSBI  
16 and procedures promulgated by the OSBI. Persons subject to DNA  
17 testing who are not received at the Lexington Assessment and  
18 Reception Center shall be required to pay a fee of Fifteen Dollars  
19 (\$15.00) to the agency collecting the sample for submission to the  
20 OSBI Combined DNA Index System (CODIS) Database. Any fees collected  
21 pursuant to this subsection shall be deposited in the revolving  
22 account or the service fee account of the collection agency or  
23 department.

24

1 K. When sentencing a person who has been convicted of a crime  
2 that would subject that person to the provisions of the Sex  
3 Offenders Registration Act, neither the court nor the district  
4 attorney shall be allowed to waive or exempt such person from the  
5 registration requirements of the Sex Offenders Registration Act.

6 SECTION 4. AMENDATORY 22 O.S. 2021, Section 991c, as  
7 amended by Section 3, Chapter 305, O.S.L. 2025 (22 O.S. Supp. 2025,  
8 Section 991c), is amended to read as follows:

9 Section 991c. A. Upon a verdict or plea of guilty or upon a  
10 plea of nolo contendere, but before a judgment of guilt, the court  
11 may, without entering a judgment of guilt and with the consent of  
12 the defendant, defer further proceedings upon the specific  
13 conditions prescribed by the court not to exceed a seven-year  
14 period, except as authorized under subsection B of this section.  
15 The court shall first consider restitution among the various  
16 conditions it may prescribe. The court may also consider ordering  
17 the defendant to:

- 18 1. Pay court costs;
- 19 2. Pay an assessment in lieu of any fine authorized by law for  
20 the offense;
- 21 3. Pay any other assessment or cost authorized by law;
- 22 4. Engage in a term of community service without compensation,  
23 according to a schedule consistent with the employment and family  
24 responsibilities of the defendant;

1        5. County jail confinement for a period not to exceed ninety  
2 (90) days or the maximum amount of jail time provided for the  
3 offense, if it is less than ninety (90) days;

4        6. Pay an amount as reimbursement for reasonable attorney fees,  
5 to be paid into the court fund, if a court-appointed attorney has  
6 been provided to the defendant;

7        7. ~~Be supervised in the community for a period not to exceed~~  
8 ~~eighteen (18) months, unless a petition alleging violation of any~~  
9 ~~condition of deferred judgment is filed during the period of~~  
10 ~~supervision. As a condition of any supervision, the defendant shall~~  
11 ~~be required to pay a supervision fee of Forty Dollars (\$40.00) per~~  
12 ~~month. The supervision fee shall be waived in whole or part by the~~  
13 ~~supervisory agency when the accused is indigent. Any fees collected~~  
14 ~~by the district attorney pursuant to this paragraph shall be~~  
15 ~~deposited in the General Revenue Fund of the State Treasury. No~~  
16 ~~person shall be denied supervision based solely on the inability of~~  
17 ~~the person to pay a fee;~~

18        8. Pay into the court fund a monthly amount not exceeding Forty  
19 Dollars (\$40.00) per month during any period during which the  
20 proceedings are deferred when the defendant is not to be supervised  
21 in the community. The total amount to be paid into the court fund  
22 shall be established by the court and shall not exceed the amount of  
23 the maximum fine authorized by law for the offense;



1       ~~9.~~ 8. Make other reparations to the community or victim as  
2 required and deemed appropriate by the court;

3       ~~10.~~ 9. Order any conditions which can be imposed for a  
4 suspended sentence pursuant to paragraph 1 of subsection A of  
5 Section 991a of this title; or

6       ~~11.~~ 10. Any combination of the provisions in paragraphs 1  
7 through ~~10~~ 9 of this subsection.

8       ~~However, unless under the supervision of the district attorney,~~  
9 ~~the offender shall be required to pay Forty Dollars (\$40.00) per~~  
10 ~~month to the district attorney during the first two (2) years of~~  
11 ~~probation to compensate the district attorney for the costs incurred~~  
12 ~~during the prosecution of the offender and for the additional work~~  
13 ~~of verifying the compliance of the offender with the rules and~~  
14 ~~conditions of his or her probation. The district attorney may waive~~  
15 ~~any part of this requirement in the best interests of justice. The~~  
16 ~~court may waive the costs of prosecution in the same manner as the~~  
17 ~~court waives financial obligations pursuant to Section 983 of this~~  
18 ~~title. Any unpaid costs of prosecution shall be waived if the~~  
19 ~~deferred sentence of an offender expires without being accelerated.~~  
20 ~~Any fees collected by the district attorney pursuant to this~~  
21 ~~paragraph shall be deposited in the General Revenue Fund of the~~  
22 ~~State Treasury.~~

23       B. When the court has ordered restitution as a condition of  
24 supervision as provided for in subsection A of this section and that

1 condition has not been satisfied, the court may, at any time prior  
2 to the termination or expiration of the supervision period, order an  
3 extension of supervision for a period not to exceed three (3) years.

4 C. In addition to any conditions of supervision provided for in  
5 subsection A of this section, the court shall, in the case of a  
6 person before the court for the offense of operating or being in  
7 control of a motor vehicle while the person was under the influence  
8 of alcohol, other intoxicating substance, or a combination of  
9 alcohol and another intoxicating substance, or who is before the  
10 court for the offense of operating a motor vehicle while the ability  
11 of the person to operate such vehicle was impaired due to the  
12 consumption of alcohol, require the person to participate in an  
13 alcohol and drug substance abuse evaluation program offered by a  
14 facility or qualified practitioner certified by the Department of  
15 Mental Health and Substance Abuse Services for the purpose of  
16 evaluating the receptivity to treatment and prognosis of the person.  
17 The court shall order the person to reimburse the facility or  
18 qualified practitioner for the evaluation. The Department of Mental  
19 Health and Substance Abuse Services shall establish a fee schedule,  
20 based upon the ability of a person to pay, provided the fee for an  
21 evaluation shall not exceed Seventy-five Dollars (\$75.00). The  
22 evaluation shall be conducted at a certified facility, the office of  
23 a qualified practitioner or at another location as ordered by the  
24 court. The facility or qualified practitioner shall, within

1 seventy-two (72) hours from the time the person is assessed, submit  
2 a written report to the court for the purpose of assisting the court  
3 in its determination of conditions for deferred sentence. No  
4 person, agency or facility operating an alcohol and drug substance  
5 abuse evaluation program certified by the Department of Mental  
6 Health and Substance Abuse Services shall solicit or refer any  
7 person evaluated pursuant to this subsection for any treatment  
8 program or alcohol and drug substance abuse service in which the  
9 person, agency or facility has a vested interest; however, this  
10 provision shall not be construed to prohibit the court from ordering  
11 participation in or any person from voluntarily utilizing a  
12 treatment program or alcohol and drug substance abuse service  
13 offered by such person, agency or facility. Any evaluation report  
14 submitted to the court pursuant to this subsection shall be handled  
15 in a manner which will keep the report confidential from review by  
16 the general public. Nothing contained in this subsection shall be  
17 construed to prohibit the court from ordering judgment and sentence  
18 in the event the defendant fails or refuses to comply with an order  
19 of the court to obtain the evaluation required by this subsection.  
20 As used in this subsection, "qualified practitioner" means a person  
21 with at least a bachelor's degree in substance abuse treatment,  
22 mental health or a related health care field and at least two (2)  
23 years of experience in providing alcohol abuse treatment, other drug  
24 abuse treatment, or both alcohol and other drug abuse treatment who

1 is certified each year by the Department of Mental Health and  
2 Substance Abuse Services to provide these assessments. However, any  
3 person who does not meet the requirements for a qualified  
4 practitioner as defined herein, but who has been previously  
5 certified by the Department of Mental Health and Substance Abuse  
6 Services to provide alcohol or drug treatment or assessments, shall  
7 be considered a qualified practitioner provided all education,  
8 experience and certification requirements stated herein are met by  
9 September 1, 1995. The court may also require the person to  
10 participate in one or both of the following:

11 1. An alcohol and drug substance abuse course, pursuant to  
12 Sections 3-452 and 3-453 of Title 43A of the Oklahoma Statutes; and

13 2. A victims impact panel program, as defined in subsection H  
14 of Section 991a of this title, if such a program is offered in the  
15 county where the judgment is rendered. The defendant shall be  
16 required to pay a fee of Seventy-five Dollars (\$75.00) as set by the  
17 governing authority of the program and approved by the court to the  
18 victims impact panel program to offset the cost of participation by  
19 the defendant, if in the opinion of the court the defendant has the  
20 ability to pay such fee.

21 D. Upon completion of the conditions of the deferred judgment,  
22 and upon a finding by the court that the conditions have been met  
23 and all fines, fees, and monetary assessments have been paid as  
24 ordered, the defendant shall be discharged without a court judgment

1 of guilt, and the court shall order the verdict or plea of guilty or  
2 plea of nolo contendere to be expunged from the record and the  
3 charge shall be dismissed with prejudice to any further action. The  
4 procedure to expunge the record of the defendant shall be as  
5 follows:

6 1. All references to the name of the defendant shall be deleted  
7 from the docket sheet;

8 2. The public index of the filing of the charge shall be  
9 expunged by deletion, mark-out or obliteration;

10 3. Upon expungement, the court clerk shall keep a separate  
11 confidential index of case numbers and names of defendants which  
12 have been obliterated pursuant to the provisions of this section;

13 4. No information concerning the confidential file shall be  
14 revealed or released, except upon written order of a judge of the  
15 district court or upon written request by the named defendant to the  
16 court clerk for the purpose of updating the criminal history record  
17 of the defendant with the Oklahoma State Bureau of Investigation;  
18 and

19 5. Defendants qualifying under Section 18 of this title may  
20 petition the court to have the filing of the indictment and the  
21 dismissal expunged from the public index and docket sheet. This  
22 section shall not be mutually exclusive of Section 18 of this title.

23 Records expunged pursuant to this subsection shall be sealed to  
24 the public but not to law enforcement agencies for law enforcement

1 purposes. Records expunged pursuant to this subsection shall be  
2 admissible in any subsequent criminal prosecution to prove the  
3 existence of a prior conviction or prior deferred judgment without  
4 the necessity of a court order requesting the unsealing of such  
5 records.

6 E. The provisions of subsection D of this section shall be  
7 retroactive.

8 F. Whenever a judgment has been deferred by the court according  
9 to the provisions of this section, deferred judgment may not be  
10 accelerated for any technical violation unless a petition setting  
11 forth the grounds for such acceleration is filed by the district  
12 attorney with the clerk of the sentencing court and competent  
13 evidence justifying the acceleration of the judgment is presented to  
14 the court at a hearing to be held for that purpose. The hearing  
15 shall be held not more than twenty (20) days after the entry of the  
16 plea of not guilty to the petition, unless waived by both the state  
17 and the defendant. Any acceleration of a deferred sentence based on  
18 a technical violation shall not exceed ninety (90) days for a first  
19 acceleration or five (5) years for a second or subsequent  
20 acceleration.

21 G. Upon any violation of the deferred judgment, other than a  
22 technical violation, the court may enter a judgment of guilt and  
23 proceed as provided in Section 991a of this title or may modify any  
24 condition imposed. Provided, however, if the deferred judgment is

1 for a felony offense, and the defendant commits another felony  
2 offense, the defendant shall not be allowed bail pending appeal.

3 H. The deferred judgment procedure described in this section  
4 shall apply only to defendants who have not been previously  
5 convicted of a felony offense and have not received more than one  
6 deferred judgment for a felony offense within the ten (10) years  
7 previous to the commission of the pending offense.

8 Provided, the court may waive this prohibition upon written  
9 application of the district attorney. Both the application and the  
10 waiver shall be made a part of the record of the case.

11 I. The deferred judgment procedure described in this section  
12 shall not apply to defendants found guilty or who plead guilty or  
13 nolo contendere to a sex offense required by law to register  
14 pursuant to the Sex Offenders Registration Act.

15 J. All defendants who are supervised pursuant to this section  
16 shall be subject to the sanction process as established in  
17 subsection D of Section 991b of this title.

18 K. Notwithstanding the provisions of subsections F and G of  
19 this section, a person who is being considered for an acceleration  
20 of a deferred judgment for an offense where the penalty has  
21 subsequently been lowered to a misdemeanor shall only be subject to  
22 a judgment and sentence that would have been applicable had he or  
23 she committed the offense after July 1, 2017.

1        L. Beginning November 1, 2026, the unpaid balance of any fee  
2        assessed for the costs of supervision by the district attorney and  
3        owed by a defendant in his or her criminal case shall be waived and  
4        deemed unenforceable and uncollectible. Any portion of a judgment  
5        imposing such fees shall be vacated.

6        SECTION 5.        AMENDATORY        22 O.S. 2021, Section 991d, is  
7        amended to read as follows:

8        Section 991d. A. 1. When the court orders supervision by the  
9        Department of Corrections, or the district attorney requires the  
10       Department to supervise any person pursuant to a deferred  
11       prosecution agreement, the person shall be required to pay a  
12       supervision fee of Forty Dollars (\$40.00) per month during the  
13       supervision period, unless the fee would impose an unnecessary  
14       hardship on the person. In hardship cases, the Department shall  
15       expressly waive all or part of the fee. The court shall make  
16       payment of the fee a condition of the sentence which shall be  
17       imposed whether the supervision is incident to the suspending of  
18       execution of a sentence, incident to the suspending of imposition of  
19       a sentence, or incident to the deferral of proceedings after a  
20       verdict or plea of guilty. The Department shall determine methods  
21       for payment of the supervision fee, and may charge a reasonable user  
22       fee for collection of supervision fees electronically. The  
23       Department is required to report to the sentencing court any failure  
24



1 of the person to pay supervision fees and to report immediately if  
2 the person violates any condition of the sentence.

3 ~~2. When the court imposes a suspended or deferred sentence for~~  
4 ~~any offense and does not order supervision by the Department of~~  
5 ~~Corrections, the offender shall be required to pay to the district~~  
6 ~~attorney a supervision fee of Forty Dollars (\$40.00) per month as a~~  
7 ~~fee to compensate the district attorney for the actual act of~~  
8 ~~supervising the offender during the applicable period of~~  
9 ~~supervision. In hardship cases, the district attorney shall~~  
10 ~~expressly waive all or part of the fee. Any fees collected by the~~  
11 ~~district attorney pursuant to this paragraph shall be deposited in~~  
12 ~~the General Revenue Fund of the State Treasury.~~

13 ~~3. If restitution is ordered by the court in conjunction with~~  
14 ~~supervision, the supervision fee will be paid in addition to the~~  
15 ~~restitution ordered. In addition to the restitution payment and~~  
16 ~~supervision fee, a reasonable user fee may be charged by the~~  
17 Department of Corrections to cover the expenses of administration of  
18 the restitution, except no user fee shall be collected by the  
19 Department when restitution payment is collected and disbursed to  
20 the victim by the office of the district attorney as provided in  
21 Section 991f of this title or Section 991f-1.1 of this title.

22 B. The Pardon and Parole Board shall require a supervision fee  
23 to be paid by the parolee as a condition of parole which shall be  
24 paid to the Department of Corrections. The Department shall

1 determine the amount of the fee as provided for other persons under  
2 supervision by the Department.

3 C. Upon acceptance of an offender by the Department of  
4 Corrections whose probation or parole supervision was transferred to  
5 Oklahoma through the Interstate Compact Agreement, or upon the  
6 assignment of an inmate to any community placement, a fee shall be  
7 required to be paid by the offender to the Department of Corrections  
8 as provided for other persons under supervision of the Department.

9 D. Except as provided in subsection A and this subsection, all  
10 fees collected pursuant to this section shall be deposited in the  
11 Department of Corrections Revolving Fund created pursuant to Section  
12 557 of Title 57 of the Oklahoma Statutes. For the fiscal year  
13 ending June 30, 1996, fifty percent (50%) of all collections  
14 received from offenders placed on supervision after July 1, 1995,  
15 shall be transferred to the credit of the General Revenue Fund of  
16 the State Treasury until such time as total transfers equal Three  
17 Million Three Hundred Thousand Dollars (\$3,300,000.00).

18 E. Beginning November 1, 2026, the unpaid balance of any fee  
19 assessed for the costs of supervision by the district attorney and  
20 owed by a defendant in his or her criminal case shall be waived and  
21 deemed unenforceable and uncollectible. Any portion of a judgment  
22 imposing such fees shall be vacated.

1       SECTION 6.       AMENDATORY       28 O.S. 2021, Section 153, as last  
2 amended by Section 5, Chapter 305, O.S.L. 2025 (28 O.S. Supp. 2025,  
3 Section 153), is amended to read as follows:

4       Section 153. A. The clerks of the courts shall collect as  
5 costs in every criminal case for each offense of which the defendant  
6 is convicted, irrespective of whether or not the sentence is  
7 deferred, the following flat charges and no more, except for  
8 standing and parking violations and for charges otherwise provided  
9 for by law, which fee shall cover docketing of the case, filing of  
10 all papers, issuance of process, warrants, orders, and other  
11 services to the date of judgment:

12       1. For each defendant convicted of  
13       exceeding the speed limit by at least  
14       one (1) mile per hour but not more than  
15       ten (10) miles per hour, whether charged  
16       individually or conjointly with others.....\$77.00

17       2. For each defendant convicted of a  
18       misdemeanor traffic violation other than  
19       an offense provided for in paragraph 1  
20       or 5 of this subsection, whether charged  
21       individually or conjointly with others.....\$98.00

22       3. For each defendant convicted of a  
23       misdemeanor, other than for driving  
24       under the influence of alcohol or other

intoxicating substance or an offense  
provided for in paragraph 1 or 2 of this  
subsection, whether charged individually  
or conjointly with others.....\$93.00

4. For each defendant convicted of a  
felony, other than for driving under the  
influence of alcohol or other  
intoxicating substance, whether charged  
individually or conjointly with others.....\$103.00

5. For each defendant convicted of the  
misdemeanor of driving under the  
influence of alcohol or other  
intoxicating substance, whether charged  
individually or conjointly with others.....\$433.00

6. For each defendant convicted of the  
felony of driving under the influence of  
alcohol or other intoxicating substance,  
whether charged individually or  
conjointly with others.....\$433.00

7. For the services of a court reporter at  
each preliminary hearing and trial held  
in the case.....\$20.00

8. For each time a jury is requested.....\$30.00

9. A sheriff's fee for serving or

endeavoring to serve each writ, warrant,

order, process, command, or notice or

pursuing any fugitive from justice

a. within the county..... \$50.00, or

mileage as

established by the

Oklahoma Statutes,

whichever is

greater, or

b. outside of the county..... \$50.00, or

actual, necessary

expenses, whichever

is greater

~~B. In addition to the amount collected pursuant to paragraphs 2~~

~~through 6 of subsection A of this section, the sum of Six Dollars~~

~~(\$6.00) shall be assessed and credited to the Law Library Fund~~

~~pursuant to Section 1201 et seq. of Title 20 of the Oklahoma~~

~~Statutes.~~

~~e.~~ In addition to the amount collected pursuant to subsection A

of this section, the sum of Twenty Dollars (\$20.00) shall be

assessed and collected in every traffic case for each offense other

than for driving under the influence of alcohol or other

intoxicating substance; the sum of Thirty Dollars (\$30.00) shall be

1 assessed and collected in every misdemeanor case for each offense;  
2 the sum of Thirty Dollars (\$30.00) shall be assessed and collected  
3 in every misdemeanor case for each offense for driving under the  
4 influence of alcohol or other intoxicating substance; the sum of  
5 Fifty Dollars (\$50.00) shall be assessed and collected in every  
6 felony case for each offense; and the sum of Fifty Dollars (\$50.00)  
7 shall be assessed and collected in every felony case for each  
8 offense for driving under the influence of alcohol or other  
9 intoxicating substance.

10 ~~D.~~ C. In addition to the amounts collected pursuant to  
11 ~~subsections~~ subsection A and B of this section, the sum of Twenty-  
12 five Dollars (\$25.00) shall be assessed and credited to the Oklahoma  
13 Court Information System Revolving Fund created pursuant to Section  
14 1315 of Title 20 of the Oklahoma Statutes.

15 ~~E.~~ D. In addition to the amount collected pursuant to  
16 paragraphs 1 through 6 of subsection A of this section, the sum of  
17 Ten Dollars (\$10.00) shall be assessed and credited to the Sheriff's  
18 Service Fee Account in the county in which the conviction occurred  
19 for the purpose of enhancing existing or providing additional  
20 courthouse security.

21 ~~F.~~ E. In addition to the amounts collected pursuant to  
22 paragraphs 1 through 6 of subsection A of this section, the sum of  
23 Three Dollars (\$3.00) shall be assessed and credited to the Office  
24 of the Attorney General Victim Services Unit.

1       ~~G.~~ F. In addition to the amounts collected pursuant to  
2 paragraphs 1 through 6 of subsection A of this section, the sum of  
3 Three Dollars (\$3.00) shall be assessed and credited to the Child  
4 Abuse Multidisciplinary Account. This fee shall not be used for  
5 purposes of hiring or employing any law enforcement officers.

6       ~~H.~~ G. Prior to conviction, parties in criminal cases shall not  
7 be required to pay, advance, or post security for the issuance or  
8 service of process to obtain compulsory attendance of witnesses.

9       ~~I.~~ H. The amounts to be assessed as court costs upon filing of  
10 a case shall be those amounts above-stated in paragraph 3 or 4 of  
11 subsection A and subsections B, C, and D ~~and E~~ of this section.

12       ~~J.~~ I. The fees collected pursuant to this section shall be  
13 deposited into the court fund, except the following:

14       1. A court clerk issuing a misdemeanor warrant is entitled to  
15 ten percent (10%) of the sheriff's service fee, provided for in  
16 paragraph 9 of subsection A of this section, collected on a warrant  
17 referred to the contractor for the misdemeanor warrant notification  
18 program governed by Sections 514.4 and 514.5 of Title 19 of the  
19 Oklahoma Statutes. This ten-percent sum shall be deposited into the  
20 issuing Court Clerk's Revolving Fund, created pursuant to Section  
21 220 of Title 19 of the Oklahoma Statutes, of the court clerk issuing  
22 the warrant with the balance of the sheriff's service fee to be  
23 deposited into the Sheriff's Service Fee Account, created pursuant  
24 to the provisions of Section 514.1 of Title 19 of the Oklahoma

1 Statutes, of the sheriff in the county in which service is made or  
2 attempted. Otherwise, the sheriff's service fee, when collected,  
3 shall be deposited in its entirety into the Sheriff's Service Fee  
4 Account of the sheriff in the county in which service is made or  
5 attempted;

6 2. The sheriff's fee provided for in Section 153.2 of this  
7 title;

8 3. The witness fees paid by the district attorney pursuant to  
9 the provisions of Section 82 of this title which, if collected by  
10 the court clerk, shall be transferred to the district attorney's  
11 office in the county where witness attendance was required. Fees  
12 transferred pursuant to this paragraph shall be deposited in the  
13 district attorney's maintenance and operating expense account;

14 4. The fees provided for in subsection C B of this section  
15 shall be forwarded to the District Attorneys Council Revolving Fund  
16 to defray the costs of prosecution; and

17 5. The following amounts of the fees provided for in paragraphs  
18 2, 3, 5 and 6 of subsection A of this section, when collected, shall  
19 be deposited in the Trauma Care Assistance Revolving Fund, created  
20 pursuant to the provisions of Section 1-2530.9 of Title 63 of the  
21 Oklahoma Statutes:

22 a. Ten Dollars (\$10.00) of the ninety-eight-dollar fee  
23 provided for in paragraph 2 of subsection A of this  
24 section,



1           b.    Ten Dollars (\$10.00) of the ninety-three-dollar fee  
2                provided for in paragraph 3 of subsection A of this  
3                section,

4           c.    One Hundred Dollars (\$100.00) of the four-hundred-  
5                thirty-three-dollar fee provided for in paragraph 5 of  
6                subsection A of this section, and

7           d.    One Hundred Dollars (\$100.00) of the four-hundred-  
8                thirty-three-dollar fee provided for in paragraph 6 of  
9                subsection A of this section.

10       ~~K.~~ J.   As used in this section, "convicted" means any final  
11       adjudication of guilt, whether pursuant to a plea of guilty or nolo  
12       contendere or otherwise, and any deferred judgment or suspended  
13       sentence.

14       ~~L.~~ K.   A court clerk may accept in payment for any fee, fine,  
15       forfeiture payment, cost, penalty assessment or other charge or  
16       collection to be assessed or collected by a court clerk pursuant to  
17       this section a nationally recognized credit card or debit card or  
18       other electronic payment method as provided in paragraph 1 of  
19       subsection B of Section 151 of this title.

20       ~~M.~~ L.   Upon receipt of payment of fines and costs for offenses  
21       charged prior to July 1, 1992, the court clerk shall apportion and  
22       pay Thirteen Dollars (\$13.00) per conviction to the court fund.

23       M.   Beginning November 1, 2026, the unpaid balance of any law  
24       library fee assessed and owed by a defendant in his or her criminal

1 case shall be waived and deemed uncollectible. Any portion of a  
2 judgment imposing such fees shall be vacated.

3 SECTION 7. AMENDATORY 63 O.S. 2021, Section 2-401, as  
4 last amended by Section 13, Chapter 486, O.S.L. 2025 (63 O.S. Supp.  
5 2025, Section 2-401), is amended to read as follows:

6 Section 2-401. A. Except as authorized by the Uniform  
7 Controlled Dangerous Substances Act, it shall be unlawful for any  
8 person:

9 1. To distribute, dispense, transport with intent to distribute  
10 or dispense, possess with intent to manufacture, distribute, or  
11 dispense, a controlled dangerous substance or to solicit the use of  
12 or use the services of a person less than eighteen (18) years of age  
13 to cultivate, distribute or dispense a controlled dangerous  
14 substance;

15 2. To create, distribute, transport with intent to distribute  
16 or dispense, or possess with intent to distribute, a counterfeit  
17 controlled dangerous substance; or

18 3. To distribute any imitation controlled substance as defined  
19 by Section 2-101 of this title, except when authorized by the Food  
20 and Drug Administration of the United States Department of Health  
21 and Human Services.

22 B. Any person who violates the provisions of this section with  
23 respect to:  
24

1        1. A substance classified in Schedule I or II, except for  
2 marijuana, upon conviction, shall be guilty of transporting or  
3 possessing with an intent to distribute a controlled dangerous  
4 substance, a Class C2 felony offense, and shall be sentenced to a  
5 term of imprisonment as provided for in subsections B through F of  
6 Section 20M of Title 21 of the Oklahoma Statutes, and a fine not  
7 more than One Hundred Thousand Dollars (\$100,000.00), which shall be  
8 in addition to other punishment provided by law and shall not be  
9 imposed in lieu of other punishment. A second conviction for the  
10 violation of provisions of this paragraph is a Class C2 felony  
11 offense punishable by a term of imprisonment as provided for in  
12 subsections B through F of Section 20M of Title 21 of the Oklahoma  
13 Statutes. A third or subsequent conviction for the violation of the  
14 provisions of this paragraph is a Class C2 felony offense punishable  
15 by a term of imprisonment as provided for in subsections B through F  
16 of Section 20M of Title 21 of the Oklahoma Statutes;

17        2. Any other controlled dangerous substance classified in  
18 Schedule III, IV, V or marijuana, upon conviction, shall be guilty  
19 of a Class D1 felony offense and shall be sentenced to a term of  
20 imprisonment as provided for in subsections B through F of Section  
21 20N of Title 21 of the Oklahoma Statutes and a fine not more than  
22 Twenty Thousand Dollars (\$20,000.00), which shall be in addition to  
23 other punishment provided by law and shall not be imposed in lieu of  
24 other punishment. A second conviction for the violation of the

provisions of this paragraph is a Class D1 felony offense punishable by a term of imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes. A third or subsequent conviction for the violation of the provisions of this paragraph is a Class D1 felony offense punishable by a term of imprisonment as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes; or

3. An imitation controlled substance as defined by Section 2-101 of this title, upon conviction, shall be guilty of a misdemeanor and shall be sentenced to a term of imprisonment in the county jail for a period not more than one (1) year and a fine not more than One Thousand Dollars (\$1,000.00). A person convicted of a second violation of the provisions of this paragraph shall be guilty of a Class D2 felony offense and shall be sentenced to a term of imprisonment as provided for in subsections B through F of Section 200 of Title 21 of the Oklahoma Statutes, and a fine not more than Five Thousand Dollars (\$5,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.

C. 1. Except when authorized by the Food and Drug Administration of the United States Department of Health and Human Services, it shall be unlawful for any person to manufacture or distribute a controlled substance or synthetic controlled substance.

1        2. Any person convicted of violating the provisions of  
2 paragraph 1 of this subsection with respect to distributing a  
3 controlled substance is guilty of a Class C2 felony offense and  
4 shall be punished by imprisonment as provided for in subsections B  
5 through F of Section 20M of Title 21 of the Oklahoma Statutes, and a  
6 fine not more than Twenty-five Thousand Dollars (\$25,000.00), which  
7 shall be in addition to other punishment provided by law and shall  
8 not be imposed in lieu of other punishment.

9        3. A second conviction for the violation of the provisions of  
10 paragraph 1 of this subsection with respect to distributing a  
11 controlled substance is a Class C2 felony offense punishable by  
12 imprisonment as provided for in subsections B through F of Section  
13 20M of Title 21 of the Oklahoma Statutes. A third or subsequent  
14 conviction for the violation of the provisions of this paragraph is  
15 a Class C2 felony offense punishable by imprisonment as provided for  
16 in subsections B through F of Section 20M of Title 21 of the  
17 Oklahoma Statutes.

18        4. Any person convicted of violating the provisions of  
19 paragraph 1 of this subsection with respect to manufacturing a  
20 controlled substance is guilty of a Class C2 felony offense and  
21 shall be punished by imprisonment as provided for in subsections B  
22 through F of Section 20M of Title 21 of the Oklahoma Statutes, and a  
23 fine not more than Twenty-five Thousand Dollars (\$25,000.00), which  
24

1 shall be in addition to other punishment provided by law and shall  
2 not be imposed in lieu of other punishment.

3 5. A second conviction for the violation of the provisions of  
4 paragraph 1 of this subsection with respect to manufacturing a  
5 controlled substance is a Class C2 felony offense punishable by  
6 imprisonment as provided for in subsections B through F of Section  
7 20M of Title 21 of the Oklahoma Statutes. A third or subsequent  
8 conviction for the violation of the provisions of this paragraph is  
9 a Class C2 felony offense punishable by imprisonment as provided for  
10 in subsections B through F of Section 20M of Title 21 of the  
11 Oklahoma Statutes.

12 D. Convictions for violations of the provisions of this section  
13 shall be subject to the statutory provisions for suspended or  
14 deferred sentences, or probation as provided in Section 991a of  
15 Title 22 of the Oklahoma Statutes.

16 E. Any person who is at least eighteen (18) years of age and  
17 who violates the provisions of this section by using or soliciting  
18 the use of services of a person less than eighteen (18) years of age  
19 to distribute, dispense, transport with intent to distribute or  
20 dispense or cultivate a controlled dangerous substance or by  
21 distributing a controlled dangerous substance to a person under  
22 eighteen (18) years of age, or in the presence of a person under  
23 twelve (12) years of age, is guilty of a Class C1 felony offense  
24 punishable by:

1        1. For a first violation of this subsection, a term of  
2 imprisonment in the custody of the Department of Corrections not  
3 less than two (2) years nor more than ten (10) years;

4        2. For a second violation of this subsection, a term of  
5 imprisonment in the custody of the Department of Corrections for not  
6 less than four (4) years nor more than twenty (20) years; or

7        3. For a third or subsequent violation of this subsection, a  
8 term of imprisonment in the custody of the Department of Corrections  
9 for not less than ten (10) years nor more than life.

10       F. Any person who violates any provision of this section by  
11 transporting with intent to distribute or dispense, distributing or  
12 possessing with intent to distribute a controlled dangerous  
13 substance to a person, or violation of subsection G of this section,  
14 in or on, or within two thousand (2,000) feet of the real property  
15 comprising a public or private elementary or secondary school,  
16 public vocational school, public or private college or university,  
17 or other institution of higher education, recreation center or  
18 public park, including a state park or recreation area, public  
19 housing project, or child care facility as defined by Section 402 of  
20 Title 10 of the Oklahoma Statutes, shall be guilty of a Class C1  
21 felony offense and shall be punished by:

22       1. For a first offense, a term of imprisonment as provided for  
23 in subsections B through E of Section 20L of Title 21 of the  
24 Oklahoma Statutes; or

1        2. For a second or subsequent violation of this section, a term  
2 of imprisonment as provided for in subsections B through E of  
3 Section 20L of Title 21 of the Oklahoma Statutes, or by the  
4 imposition of a fine, or by both, not exceeding thrice that  
5 authorized by the appropriate provision of this section.  
6 Convictions for second and subsequent violations of the provisions  
7 of this section shall not be subject to statutory provisions of  
8 suspended sentences, deferred sentences or probation.

9        G. 1. Except as authorized by the Uniform Controlled Dangerous  
10 Substances Act, it shall be unlawful for any person to manufacture  
11 or attempt to manufacture any controlled dangerous substance or  
12 possess any substance listed in Section 2-322 of this title or any  
13 substance containing any detectable amount of pseudoephedrine or its  
14 salts, optical isomers or salts of optical isomers, iodine or its  
15 salts, optical isomers or salts of optical isomers, hydriodic acid,  
16 sodium metal, lithium metal, anhydrous ammonia, phosphorus, or  
17 organic solvents with the intent to use that substance to  
18 manufacture a controlled dangerous substance.

19        2. Any person violating the provisions of this subsection with  
20 respect to the unlawful manufacturing or attempting to unlawfully  
21 manufacture any controlled dangerous substance, possessing any  
22 substance listed in this subsection or Section 2-322 of this title,  
23 or combining fentanyl with any other controlled dangerous substance,  
24 upon conviction, is guilty of a Class A2 felony offense and shall be



1 punished by imprisonment in the custody of the Department of  
2 Corrections for not less than seven (7) years nor more than life and  
3 by a fine not less than Fifty Thousand Dollars (\$50,000.00), which  
4 shall be in addition to other punishment provided by law and shall  
5 not be imposed in lieu of other punishment. The possession of any  
6 amount of anhydrous ammonia in an unauthorized container shall be  
7 prima facie evidence of intent to use such substance to manufacture  
8 a controlled dangerous substance.

9 3. Any person violating the provisions of this subsection with  
10 respect to the unlawful manufacturing or attempting to unlawfully  
11 manufacture any controlled dangerous substance in the following  
12 amounts:

13 a. one (1) kilogram or more of a mixture or substance  
14 containing a detectable amount of heroin,

15 b. five (5) kilograms or more of a mixture or substance  
16 containing a detectable amount of:

17 (1) coca leaves, except coca leaves and extracts of  
18 coca leaves from which cocaine, ecgonine, and  
19 derivatives of ecgonine or their salts have been  
20 removed,

21 (2) cocaine, its salts, optical and geometric  
22 isomers, and salts of isomers,

23 (3) ecgonine, its derivatives, their salts, isomers,  
24 and salts of isomers, or

1 (4) any compound, mixture, or preparation which  
2 contains any quantity of any of the substances  
3 referred to in divisions (1) through (3) of this  
4 subparagraph,

5 c. fifty (50) grams or more of a mixture or substance  
6 described in division (2) of subparagraph b of this  
7 paragraph which contains cocaine base,

8 d. one hundred (100) grams or more of phencyclidine (PCP)  
9 or one (1) kilogram or more of a mixture or substance  
10 containing a detectable amount of phencyclidine (PCP),

11 e. ten (10) grams or more of a mixture or substance  
12 containing a detectable amount of lysergic acid  
13 diethylamide (LSD),

14 f. four hundred (400) grams or more of a mixture or  
15 substance containing a detectable amount of N-phenyl-  
16 N-[1-(2-phenylethyl)-4-piperidinyl] propanamide or 100  
17 grams or more of a mixture or substance containing a  
18 detectable amount of any analogue of N-phenyl-N-[1-(2-  
19 phenylethyl)-4-piperidinyl] propanamide,

20 g. one thousand (1,000) kilograms or more of a mixture or  
21 substance containing a detectable amount of marijuana  
22 or one thousand (1,000) or more marijuana plants  
23 regardless of weight,  
24

- 1           h.    fifty (50) grams or more of methamphetamine, its  
2                salts, isomers, and salts of its isomers or five  
3                hundred (500) grams or more of a mixture or substance  
4                containing a detectable amount of methamphetamine, its  
5                salts, isomers, or salts of its isomers, or  
6           i.    ten (10) grams or more of a mixture or substance  
7                containing a detectable amount of fentanyl, its  
8                analogs, or derivatives,

9 upon conviction, is guilty of aggravated manufacturing of a  
10 controlled dangerous substance, a Class A1 felony offense,  
11 punishable by imprisonment in the custody of the Department of  
12 Corrections for not less than twenty (20) years nor more than life  
13 and by a fine not less than Fifty Thousand Dollars (\$50,000.00),  
14 which shall be in addition to other punishment provided by law and  
15 shall not be imposed in lieu of other punishment. Any person  
16 convicted of a violation of the provisions of this paragraph shall  
17 be required to serve a minimum of eighty-five percent (85%) of the  
18 sentence received prior to becoming eligible for state correctional  
19 earned credits towards the completion of the sentence or eligible  
20 for parole.

21       4. Any sentence to the custody of the Department of Corrections  
22 for any violation of paragraph 3 of this subsection shall not be  
23 subject to statutory provisions for suspended sentences, deferred  
24 sentences, or probation. A person convicted of a second or

1 subsequent violation of the provisions of paragraph 3 of this  
2 subsection shall be punished as a habitual offender pursuant to  
3 Section 51.1 of Title 21 of the Oklahoma Statutes and shall be  
4 required to serve a minimum of eighty-five percent (85%) of the  
5 sentence received prior to becoming eligible for state correctional  
6 earned credits or eligibility for parole.

7 5. Any person who has been convicted of manufacturing or  
8 attempting to manufacture methamphetamine pursuant to the provisions  
9 of this subsection and who, after such conviction, purchases or  
10 attempts to purchase, receive or otherwise acquire any product,  
11 mixture, or preparation containing any detectable quantity of base  
12 pseudoephedrine or ephedrine shall, upon conviction, be guilty of a  
13 Class B3 felony offense punishable by imprisonment in the custody of  
14 the Department of Corrections for a term in the range of twice the  
15 minimum term provided for in paragraph 2 of this subsection.

16 ~~H. Any person convicted of any offense described in the Uniform~~  
17 ~~Controlled Dangerous Substances Act may, in addition to the fine~~  
18 ~~imposed, be assessed an amount not to exceed ten percent (10%) of~~  
19 ~~the fine imposed. Such assessment shall be paid into a revolving~~  
20 ~~fund for enforcement of controlled dangerous substances created~~  
21 ~~pursuant to Section 2-506 of this title.~~

22 ~~I.~~ Any person convicted of any offense described in this  
23 section shall, in addition to any fine imposed, pay a special  
24 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be

1 deposited into the Trauma Care Assistance Revolving Fund created in  
2 Section 1-2530.9 of this title.

3 ~~J.~~ I. For purposes of this section, "public housing project"  
4 means any dwelling or accommodations operated as a state or  
5 federally subsidized multifamily housing project by any housing  
6 authority, nonprofit corporation or municipal developer or housing  
7 projects created pursuant to the Oklahoma Housing Authorities Act.

8 ~~K.~~ J. When a person is found guilty of a violation of the  
9 provisions of this section, the court shall order, in addition to  
10 any other penalty, the defendant to pay a one-hundred-dollar  
11 assessment to be deposited in the Drug Abuse Education and Treatment  
12 Revolving Fund created in Section 2-503.2 of this title, upon  
13 collection.

14 ~~L.~~ K. Any person convicted of a second or subsequent felony  
15 violation of the provisions of this section, except for paragraphs 1  
16 and 2 of subsection B of this section, paragraphs 2, 3, 4 and 5 of  
17 subsection C of this section, paragraphs 1, 2, and 3 of subsection E  
18 of this section and paragraphs 1 and 2 of subsection F of this  
19 section, shall be punished as a habitual offender pursuant to  
20 Section 51.1 of Title 21 of the Oklahoma Statutes.

21 L. Beginning November 1, 2026, any person who was ordered to  
22 pay a ten percent (10%) assessment in addition to the fine imposed  
23 for a conviction described in the Uniform Controlled Dangerous  
24 Substances Act shall have the unpaid balance waived and deemed

1 unenforceable and uncollectible. Any portion of a judgment imposing  
2 such fees shall be vacated.

3 SECTION 8. REPEALER 20 O.S. 2021, Sections 1313.3 and  
4 1313.4, are hereby repealed.

5 SECTION 9. This act shall become effective November 1, 2026.

6

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