

1 **SENATE FLOOR VERSION**

2 April 8, 2025

3 ENGROSSED HOUSE
4 BILL NO. 2376

By: Hill of the House

and

Daniels of the Senate

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9 An Act relating to criminal procedure; amending
10 Section 1, Chapter 248, O.S.L. 2023 (22 O.S. Supp.
11 2024, Section 991a-4.2), which relates to early
12 evaluation hearings; directing the District Attorneys
13 Council to annually provide list of early termination
14 applications; and providing an effective date.

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

16 SECTION 1. AMENDATORY Section 1, Chapter 248, O.S.L.
17 2023 (22 O.S. Supp. 2024, Section 991a-4.2), is amended to read as
18 follows:

19 Section 991a-4.2. A. 1. Any person who receives a suspended
20 sentence that exceeds five (5) years pursuant to the provisions of
21 Section 991a of this title for an offense not listed in Section 13.1
22 or subsection C, D, E, F, G, or J of Section 644 of Title 21 of the
23 Oklahoma Statutes or Section 571 or 582 of Title 57 of the Oklahoma
24 Statutes shall, upon request, receive an early evaluation hearing

1 after five (5) years to determine whether the length of the
2 suspended sentence should be modified.

3 2. Any person who receives a split sentence pursuant to the
4 provisions of Section 991a of ~~Title 22 of the Oklahoma Statutes~~ this
5 title for an offense not listed in Section 13.1 or subsection C, D,
6 E, F, G, or J of Section 644 of Title 21 of the Oklahoma Statutes or
7 Section 571 or 582 of Title 57 of the Oklahoma Statutes and the
8 suspended portion of the sentence exceeds five (5) years shall, upon
9 request, receive an early evaluation hearing after five (5) years of
10 serving the suspended portion of the split sentence to determine
11 whether the length of the split sentence should be modified.

12 B. Upon an early evaluation hearing conducted pursuant to
13 subsection A of this section, the court may modify the length of the
14 suspended sentence or split sentence when:

15 1. The person has completed all requirements of his or her
16 probation, including treatment and rehabilitative programming;

17 2. The person had no criminal violations during the term of
18 probation;

19 3. The person has no pending revocation hearings; and

20 4. The district attorney does not object on behalf of the state
21 or the victim or victims of the offense. Any such objection shall
22 be made in writing, specify on behalf of whom the objection is made,
23 and include the specific reason or reasons for the objection.

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1 C. A person may request an early evaluation hearing one (1)
2 year earlier than prescribed in subsection A of this section and the
3 court may modify the length of the suspended sentence or split
4 sentence when:

5 1. The person received a high school or high school equivalency
6 diploma, any college-level degree, or a vocational, technical, or
7 career training certification or degree while serving his or her
8 sentence, or when the person has maintained consistent employment
9 throughout his or her probation period;

10 2. The person has completed all requirements of his or her
11 probation, including treatment and rehabilitative programming;

12 3. The person had no criminal violations during the term of
13 probation;

14 4. The person has no pending revocation hearings; and

15 5. The district attorney does not object on behalf of the state
16 or the victim or victims of the offense. Any such objection shall
17 be made in writing, specify on behalf of whom the objection is made,
18 and include the specific reason or reasons for the objection.

19 D. Written notice shall be made to the appropriate district
20 attorney within fifteen (15) days of the filing of a request
21 pursuant to subsection A or subsection C of this section. The
22 district attorney shall have forty-five (45) days from the date the
23 notice was received to object or otherwise respond. The Court may,
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1 upon request of the district attorney, grant a single fifteen-day
2 extension to object or otherwise respond.

3 E. An offender may only request one early evaluation hearing in
4 a case pursuant to subsection A of this section without prior
5 approval from the district attorney.

6 F. No person shall be prohibited from an early evaluation
7 hearing as a condition of a plea agreement or imposed sentence if
8 otherwise qualified pursuant to subsection A of this section.

9 ~~G. The President Pro Tempore of the Senate, the Speaker of the~~
10 ~~House of Representatives, or the Governor may request the On or~~
11 ~~before November 30, 2025, and every odd year thereafter, the~~
12 ~~District Attorneys Council ~~to~~ shall provide a list of early~~
13 ~~termination applications made and copies of any objections or other~~
14 ~~responses to such applications during the prior fiscal year.—Such~~
15 ~~request shall be made no later than July 31 and shall be fulfilled~~
16 ~~no later than November 30 to the President Pro Tempore of the~~
17 ~~Oklahoma State Senate, the Speaker of the Oklahoma House of~~
18 ~~Representatives, and the Governor.~~

19 SECTION 2. This act shall become effective November 1, 2025.

20 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
21 April 8, 2025 - DO PASS

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