

1 ENGROSSED HOUSE
2 BILL NO. 2490

By: Hill of the House

3 and

4 Daniels of the Senate

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6
7 [criminal procedure - district attorneys - extension
8 of supervision - dismissal of charges - effective
9 date]

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

13 SECTION 1. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 991a-4.2 of Title 22, unless
15 there is created a duplication in numbering, reads as follows:

16 A. Any person who receives a suspended sentence exceeding five
17 (5) years in length, pursuant the provisions of Section 991a of
18 Title 22 of the Oklahoma Statutes, for an offense not listed in
19 Section 571 of Title 57 of the Oklahoma Statutes, Section 13.1 of
20 Title 21 of the Oklahoma Statutes, or subsection C, D, E, F, G, or J
21 of Section 644 of Title 21 of the Oklahoma Statutes, shall, upon
22 request, receive an early evaluation hearing to determine whether
23 the length of the suspended sentence should be modified.

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1 B. The early evaluation hearing shall be conducted by the court
2 which imposed the original suspended sentence.

3 C. The early evaluation hearing shall not be conducted until
4 the person has served at least five (5) years of the suspended
5 sentence. Provided, a person who receives a high school diploma or
6 high school equivalency diploma, any college-level degree, or a
7 vocational, technical, or career training certification or degree
8 while serving his or her suspended sentence, may request an early
9 evaluation hearing after having served at least four (4) years of
10 the suspended sentence.

11 D. At the early evaluation hearing, the court may modify the
12 length of the suspended sentence when the court is satisfied that
13 the best interests of the public will not be jeopardized. Provided,
14 the court shall be prohibited from modifying the length of the
15 suspended sentence when the district attorney or victim of the crime
16 objects to the modification.

17 E. A person may only receive one early evaluation hearing in a
18 case without prior approval from the district attorney.

19 SECTION 2. This act shall become effective November 1, 2023.
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1 Passed the House of Representatives the 21st day of March, 2023.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2023.

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9 Presiding Officer of the Senate