

1 **SENATE FLOOR VERSION**

2 April 11, 2023

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 2490

6 By: Hill of the House

7 and

8 Daniels of the Senate

9 [criminal procedure - district attorneys - extension
10 of supervision - dismissal of charges - effective
11 date]

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.

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

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

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

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

17 SECTION 2. This act shall become effective November 1, 2023.

18 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
19 April 11, 2023 - DO PASS AS AMENDED
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