

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1663

By: Gollihare

AS INTRODUCED

An Act relating to probation; authorizing the filing of a petition to request termination of probation; providing elements of petition; authorizing certain response from prosecuting entity within certain period; requiring evidentiary hearing within certain period; prohibiting certain fees for terminated probation; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 521.3 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. Upon the filing of a petition, a court may terminate a term of probation and discharge the defendant at any time earlier than that provided in the original sentence if warranted by the conduct of the defendant and if the defendant has completed at least one (1) year of the probationary term.

1 B. A petition for early termination of a probationary term may
2 be filed by either the defendant or prosecuting entity. The
3 petition for early termination of a probationary term shall include:

4 1. The charges the defendant was convicted of;

5 2. The terms of the defendant's sentence;

6 3. Whether the defendant has completed all other terms of the
7 defendant's sentence, including the payment of restitution, fines,
8 court costs, and fees, except for the full term of probation;

9 4. Whether the defendant has completed at least one (1) full
10 year of probation; and

11 5. Any relevant information concerning the reason or reasons
12 that early termination of the term of probation is warranted by the
13 conduct of the defendant.

14 C. If a petition for early termination of a probationary term
15 is filed by the defendant, the original prosecuting entity shall
16 have thirty (30) days to file a response to the petition to provide
17 evidence the prosecuting entity determines is relevant to the
18 decision of the court.

19 D. No earlier than forty-five (45) days after the filing of the
20 petition, the court shall hold an evidentiary hearing in which the
21 court shall take testimony from the parties and consider any other
22 evidence the court determines to be relevant.

23 E. Upon the issuance of an order terminating the term of
24 probation, the defendant shall no longer be charged administrative

1 or supervision fees but shall be liable for any fees accrued up to
2 the issuance of an order terminating the term of probation.

3 SECTION 2. This act shall become effective November 1, 2024.

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