

1 **SENATE FLOOR VERSION**

2 February 6, 2024

3 SENATE BILL NO. 1663

By: Gollihare

4
5 An Act relating to probation; authorizing the filing
6 of a petition to request termination of probation;
7 providing elements of petition; authorizing certain
8 response from prosecuting entity within certain
9 period; requiring evidentiary hearing within certain
10 period; prohibiting certain fees for terminated
11 probation; providing for codification; and providing
12 an effective date.

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

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

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

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

1. The charges the defendant was convicted of;
2. The terms of the defendant's sentence;

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

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

6 5. Any relevant information concerning the reason or reasons
7 that early termination of the term of probation is warranted by the
8 conduct of the defendant.

9 C. If a petition for early termination of a probationary term
10 is filed by the defendant, the original prosecuting entity shall
11 have thirty (30) days to file a response to the petition to provide
12 evidence the prosecuting entity determines is relevant to the
13 decision of the court.

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

18 E. Upon the issuance of an order terminating the term of
19 probation, the defendant shall no longer be charged administrative
20 or supervision fees but shall be liable for any fees accrued up to
21 the issuance of an order terminating the term of probation.

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

23 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
24 February 6, 2024 - DO PASS