

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 336

By: Paxton

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5
6 AS INTRODUCED

7 An Act relating to earned discharge credits;
8 directing certain discharge credits for certain
9 compliance be given; prohibiting certain offenses
10 from eligibility for discharge credits; requiring
11 written policies and procedures; requiring
12 maintenance of records and notification; directing
13 the creation of rules of supervision and management
14 of probation providers; providing for codification;
15 and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 512.1 of Title 57, unless there
19 is created a duplication in numbering, reads as follows:

20 A. Every offender on felony probation supervision under Section
21 515a of Title 57 of the Oklahoma Statutes, supervised by the
22 Department of Corrections or by a private supervision provider,
23 shall be eligible to earn discharge credits for compliance with the
24 terms and conditions of probation supervision to reduce the term of
25 supervision and the overall term of imprisonment. For every
26 calendar month of compliance with the terms and conditions of

1 probation supervision, the supervising body, defined for the
2 purposes of this section as the Department of Corrections or private
3 supervision provider responsible for the supervision of felony
4 probationers, shall award the offender earned discharge credits
5 equal to thirty (30) calendar days to be applied toward a reduction
6 of the probation supervision term ordered pursuant to Section 991a
7 of Title 22 of the Oklahoma Statutes. For the purposes of this
8 section, "compliance" shall be defined as the absence of a violation
9 report submitted by the supervising body during a calendar month.

10 B. No person convicted of an offense under Section 13.1 or
11 subsection C, D, E, F, G or J of Section 644 of Title 21 of the
12 Oklahoma Statutes shall be eligible for earned discharge credits
13 pursuant to this section.

14 C. Every supervising body shall develop written policies and
15 procedures necessary for the implementation of earned discharge
16 credits for offenders on felony probation supervision as authorized
17 pursuant to this section. The policies and procedures developed by
18 the supervising bodies shall include, but not be limited to, written
19 guidelines regarding the process to earn discharge credits and the
20 application of the credits toward the reduction of the term of
21 supervision or term of imprisonment, the collection of data related
22 to who earns credit, how much is applied and how much of the
23 supervision period or sentence term is reduced at the point of
24 discharge.

1 D. Every supervising body shall maintain a record of credits
2 earned by an offender under this section. At least every six (6)
3 months from the date the offender is placed on probation, the
4 supervising body shall notify the offender of the current discharge
5 date for the offender's term of supervision and the overall term of
6 imprisonment of the offender.

7 E. Every supervising body shall notify the court not less than
8 thirty (30) days prior to the expected discharge date. However,
9 nothing in this section shall prohibit the supervising body from
10 requesting termination of the term of imprisonment earlier than the
11 termination date of the term of imprisonment authorized in
12 subsection F of this section.

13 F. Once a combination of either time served in custody, if
14 applicable, time served on any form of probation, parole or post-
15 release supervision and earned discharge credits satisfy the total
16 sentence, the supervising body shall order the discharge of the term
17 of imprisonment of the offender.

18 SECTION 2. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 512.2 of Title 57, unless there
20 is created a duplication in numbering, reads as follows:

21 A. Every offender released to parole supervision pursuant to
22 Section 512 of Title 57 of the Oklahoma Statutes shall be eligible
23 to earn discharge credits for compliance with the terms and
24 conditions of parole supervision that reduce the offender's term of
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1 supervision. For every calendar month of compliance with the terms
2 and conditions of parole supervision, the Department of Corrections
3 shall award the offender earned discharge credits equal to thirty
4 (30) calendar days to be applied toward a reduction of the parole
5 supervision period. For the purposes of this section, "compliance"
6 shall be defined as the absence of a violation report submitted by a
7 Probation and Parole Officer during a calendar month. No person
8 convicted of an offense under Section 13.1 or subsection C, D, E, F,
9 G or J of Section 644 of Title 21 of the Oklahoma Statutes shall be
10 eligible for earned discharge credits pursuant to this section.

11 B. The Department of Corrections shall develop written policies
12 and procedures necessary for the implementation of earned discharge
13 credits as authorized pursuant to this section. The policies and
14 procedures developed by the Department of Corrections shall include,
15 but not be limited to, written guidelines regarding the process to
16 earn discharge credits and the application of the credits toward the
17 reduction of the term of supervision or term of imprisonment, the
18 collection of data related to who earns credit, how much is applied
19 and how much of the supervision period or term of imprisonment is
20 reduced at the point of discharge.

21 C. The Department shall maintain a record of credits earned by
22 an offender under this section. At least every six (6) months from
23 the date the offender is placed on parole, the Department shall
24 notify the offender of the current parole termination date.

1 D. The Department shall notify the Pardon and Parole Board of
2 the impending termination not less than thirty (30) days prior to
3 the expected termination date. However, nothing in this section
4 shall prohibit the Department from requesting parole termination
5 earlier than the termination date authorized in subsection E of this
6 section.

7 E. Once a combination of either time served in custody, if
8 applicable, time served on any form of probation, parole or post-
9 release supervision and earned discharge credits satisfy the total
10 sentence, the Department shall order the final termination of the
11 offender's parole supervision.

12 SECTION 3. This act shall become effective November 1, 2021.

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