

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1460

By: West (Tammy)

4
5
6 AS INTRODUCED

7 An Act relating to criminal procedure; amending 22
8 O.S. 2021, Sections 991a, as last amended by Section
9 1, Chapter 61, O.S.L. 2024, 991c and 991d (22 O.S.
10 Supp. 2024, Section 991a), which relate to sentencing
11 powers of the court, deferred sentences and
12 supervision fees; deleting the assessment and
13 collection of supervision fees by district attorneys;
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 22 O.S. 2021, Section 991a, as
17 last amended by Section 1, Chapter 61, O.S.L. 2024 (22 O.S. Supp.
18 2024, Section 991a), is amended to read as follows:

19 Section 991a. A. Except as otherwise provided in the Elderly
20 and Incapacitated Victim's Protection Program, when a defendant is
21 convicted of a crime and no death sentence is imposed, the court
22 shall either:

23 1. Suspend the execution of sentence in whole or in part, with
24 or without probation. The court, in addition, may order the
convicted defendant at the time of sentencing or at any time during
the suspended sentence to do one or more of the following:

- 1 a. to provide restitution to the victim as provided by
2 Section 991f et seq. of this title or according to a
3 schedule of payments established by the sentencing
4 court, together with interest upon any pecuniary sum
5 at the rate of twelve percent (12%) per annum, if the
6 defendant agrees to pay such restitution or, in the
7 opinion of the court, if the defendant is able to pay
8 such restitution without imposing manifest hardship on
9 the defendant or the immediate family and if the
10 extent of the damage to the victim is determinable
11 with reasonable certainty,
- 12 b. to reimburse any state agency for amounts paid by the
13 state agency for hospital and medical expenses
14 incurred by the victim or victims, as a result of the
15 criminal act for which such person was convicted,
16 which reimbursement shall be made directly to the
17 state agency, with interest accruing thereon at the
18 rate of twelve percent (12%) per annum,
- 19 c. to engage in a term of community service without
20 compensation, according to a schedule consistent with
21 the employment and family responsibilities of the
22 person convicted,
- 23 d. to pay a reasonable sum into any trust fund
24 established pursuant to the provisions of Sections 176

1 through 180.4 of Title 60 of the Oklahoma Statutes and
2 which provides restitution payments by convicted
3 defendants to victims of crimes committed within this
4 state wherein such victim has incurred a financial
5 loss,

6 e. to confinement in the county jail for a period not to
7 exceed six (6) months,

8 f. to confinement as provided by law together with a term
9 of post-imprisonment community supervision for not
10 less than three (3) years of the total term allowed by
11 law for imprisonment, with or without restitution;
12 provided, however, the authority of this provision is
13 limited to Section 843.5 of Title 21 of the Oklahoma
14 Statutes when the offense involved sexual abuse or
15 sexual exploitation; Sections 681, 741 and 843.1 of
16 Title 21 of the Oklahoma Statutes when the offense
17 involved sexual abuse or sexual exploitation; and
18 Sections 865 et seq., 885, 886, 888, 891, 1021,
19 1021.2, 1021.3, 1040.13a, 1087, 1088, 1111.1, 1115 and
20 1123 of Title 21 of the Oklahoma Statutes,

21 g. to repay the reward or part of the reward paid by a
22 local certified crime stoppers program and the
23 Oklahoma Reward System. In determining whether the
24 defendant shall repay the reward or part of the

1 reward, the court shall consider the ability of the
2 defendant to make the payment, the financial hardship
3 on the defendant to make the required payment and the
4 importance of the information to the prosecution of
5 the defendant as provided by the arresting officer or
6 the district attorney with due regard for the
7 confidentiality of the records of the local certified
8 crime stoppers program and the Oklahoma Reward System.
9 The court shall assess this repayment against the
10 defendant as a cost of prosecution. The term
11 "certified" means crime stoppers organizations that
12 annually meet the certification standards for crime
13 stoppers programs established by the Oklahoma Crime
14 Stoppers Association to the extent those standards do
15 not conflict with state statutes. The term "court"
16 refers to all municipal and district courts within
17 this state. The "Oklahoma Reward System" means the
18 reward program established by Section 150.18 of Title
19 74 of the Oklahoma Statutes,

20 h. to reimburse the Oklahoma State Bureau of
21 Investigation for costs incurred by that agency during
22 its investigation of the crime for which the defendant
23 pleaded guilty, nolo contendere or was convicted
24 including compensation for laboratory, technical or

1 investigation services performed by the Bureau if, in
2 the opinion of the court, the defendant is able to pay
3 without imposing manifest hardship on the defendant,
4 and if the costs incurred by the Bureau during the
5 investigation of the defendant's case may be
6 determined with reasonable certainty,

7 i. to reimburse the Oklahoma State Bureau of
8 Investigation and any authorized law enforcement
9 agency for all costs incurred by that agency for
10 cleaning up an illegal drug laboratory site for which
11 the defendant pleaded guilty, nolo contendere or was
12 convicted. The court clerk shall collect the amount
13 and may retain five percent (5%) of such monies to be
14 deposited in the Court Clerk's Revolving Fund to cover
15 administrative costs and shall remit the remainder to
16 the Oklahoma State Bureau of Investigation to be
17 deposited in the OSBI Revolving Fund established by
18 Section 150.19a of Title 74 of the Oklahoma Statutes
19 or to the general fund wherein the other law
20 enforcement agency is located,

21 j. to pay a reasonable sum to the Crime Victims
22 Compensation Board, created by Section 142.2 et seq.
23 of Title 21 of the Oklahoma Statutes, for the benefit
24 of crime victims,

- 1 k. to reimburse the court fund for amounts paid to court-
- 2 appointed attorneys for representing the defendant in
- 3 the case in which the person is being sentenced,
- 4 l. to participate in an assessment and evaluation by an
- 5 assessment agency or assessment personnel certified by
- 6 the Department of Mental Health and Substance Abuse
- 7 Services pursuant to Section 3-460 of Title 43A of the
- 8 Oklahoma Statutes and, as determined by the
- 9 assessment, participate in an alcohol and drug
- 10 substance abuse course or treatment program or both,
- 11 pursuant to Sections 3-452 and 3-453 of Title 43A of
- 12 the Oklahoma Statutes, or as ordered by the court,
- 13 m. to be placed in a victims impact panel program, as
- 14 defined in subsection H of this section, or
- 15 victim/offender reconciliation program and payment of
- 16 a fee to the program of Seventy-five Dollars (\$75.00)
- 17 as set by the governing authority of the program to
- 18 offset the cost of participation by the defendant.
- 19 Provided, each victim/offender reconciliation program
- 20 shall be required to obtain a written consent form
- 21 voluntarily signed by the victim and defendant that
- 22 specifies the methods to be used to resolve the
- 23 issues, the obligations and rights of each person and
- 24 the confidentiality of the proceedings. Volunteer

1 mediators and employees of a victim/offender
2 reconciliation program shall be immune from liability
3 and have rights of confidentiality as provided in
4 Section 1805 of Title 12 of the Oklahoma Statutes,
5 n. to install, at the expense of the defendant, an
6 ignition interlock device approved by the Board of
7 Tests for Alcohol and Drug Influence. The device
8 shall be installed upon every motor vehicle operated
9 by the defendant, and the court shall require that a
10 notation of this restriction be affixed to the
11 defendant's driver license. The restriction shall
12 remain on the driver license not exceeding two (2)
13 years to be determined by the court. The restriction
14 may be modified or removed only by order of the court
15 and notice of any modification order shall be given to
16 Service Oklahoma. Upon the expiration of the period
17 for the restriction, Service Oklahoma shall remove the
18 restriction without further court order. Failure to
19 comply with the order to install an ignition interlock
20 device or operating any vehicle without a device
21 during the period of restriction shall be a violation
22 of the sentence and may be punished as deemed proper
23 by the sentencing court. As used in this paragraph,
24 "ignition interlock device" means a device that,

1 without tampering or intervention by another person,
2 would prevent the defendant from operating a motor
3 vehicle if the defendant has a blood or breath alcohol
4 concentration of two-hundredths (0.02) or greater,
5 o. to be confined by electronic monitoring administered
6 and supervised by the Department of Corrections or a
7 community sentence provider, and payment of a
8 monitoring fee to the supervising authority, not to
9 exceed Three Hundred Dollars (\$300.00) per month. Any
10 fees collected pursuant to this subparagraph shall be
11 deposited with the appropriate supervising authority.
12 Any willful violation of an order of the court for the
13 payment of the monitoring fee shall be a violation of
14 the sentence and may be punished as deemed proper by
15 the sentencing court. As used in this paragraph,
16 "electronic monitoring" means confinement of the
17 defendant within a specified location or locations
18 with supervision by means of an electronic device
19 approved by the Department of Corrections which is
20 designed to detect if the defendant is in the court-
21 ordered location at the required times and which
22 records violations for investigation by a qualified
23 supervisory agency or person,
24

- 1 p. to perform one or more courses of treatment, education
2 or rehabilitation for any conditions, behaviors,
3 deficiencies or disorders which may contribute to
4 criminal conduct including but not limited to alcohol
5 and substance abuse, mental health, emotional health,
6 physical health, propensity for violence, antisocial
7 behavior, personality or attitudes, deviant sexual
8 behavior, child development, parenting assistance, job
9 skills, vocational-technical skills, domestic
10 relations, literacy, education or any other
11 identifiable deficiency which may be treated
12 appropriately in the community and for which a
13 certified provider or a program recognized by the
14 court as having significant positive impact exists in
15 the community. Any treatment, education or
16 rehabilitation provider required to be certified
17 pursuant to law or rule shall be certified by the
18 appropriate state agency or a national organization,
- 19 q. to submit to periodic testing for alcohol,
20 intoxicating substance or controlled dangerous
21 substances by a qualified laboratory,
- 22 r. to pay a fee or costs for treatment, education,
23 supervision, participation in a program or any
24

- 1 combination thereof as determined by the court, based
2 upon the defendant's ability to pay the fees or costs,
3 s. to be supervised by a Department of Corrections
4 employee, a private supervision provider or other
5 person designated by the court,
6 t. to obtain positive behavior modeling by a trained
7 mentor,
8 u. to serve a term of confinement in a restrictive
9 housing facility available in the community,
10 v. to serve a term of confinement in the county jail at
11 night or during weekends pursuant to Section 991a-2 of
12 this title or for work release,
13 w. to obtain employment or participate in employment-
14 related activities,
15 x. to participate in mandatory day reporting to
16 facilities or persons for services, payments, duties
17 or person-to-person contacts as specified by the
18 court,
19 y. to pay day fines not to exceed fifty percent (50%) of
20 the net wages earned. For purposes of this paragraph,
21 "day fine" means the offender is ordered to pay an
22 amount calculated as a percentage of net daily wages
23 earned. The day fine shall be paid to the local
24 community sentencing system as reparation to the

1 community. Day fines shall be used to support the
2 local system,

3 z. to submit to blood or saliva testing as required by
4 subsection I of this section,

5 aa. to repair or restore property damaged by the
6 defendant's conduct, if the court determines the
7 defendant possesses sufficient skill to repair or
8 restore the property and the victim consents to the
9 repairing or restoring of the property,

10 bb. to restore damaged property in kind or payment of out-
11 of-pocket expenses to the victim, if the court is able
12 to determine the actual out-of-pocket expenses
13 suffered by the victim,

14 cc. to attend a victim-offender reconciliation program if
15 the victim agrees to participate and the offender is
16 deemed appropriate for participation,

17 dd. in the case of a person convicted of prostitution
18 pursuant to Section 1029 of Title 21 of the Oklahoma
19 Statutes, require such person to receive counseling
20 for the behavior which may have caused such person to
21 engage in prostitution activities. Such person may be
22 required to receive counseling in areas including but
23 not limited to alcohol and substance abuse, sexual
24

1 behavior problems or domestic abuse or child abuse
2 problems,

3 ee. in the case of a sex offender sentenced after November
4 1, 1989, and required by law to register pursuant to
5 the Sex Offender Registration Act, the court shall
6 require the person to comply with sex offender
7 specific rules and conditions of supervision
8 established by the Department of Corrections and
9 require the person to participate in a treatment
10 program designed for the treatment of sex offenders
11 during the period of time while the offender is
12 subject to supervision by the Department of
13 Corrections. The treatment program shall include
14 polygraph examinations specifically designed for use
15 with sex offenders for purposes of supervision and
16 treatment compliance, and shall be administered not
17 less than each six (6) months during the period of
18 supervision. The examination shall be administered by
19 a certified licensed polygraph examiner. The
20 treatment program must be approved by the Department
21 of Corrections or the Department of Mental Health and
22 Substance Abuse Services. Such treatment shall be at
23 the expense of the defendant based on the defendant's
24 ability to pay,

1 ff. in addition to other sentencing powers of the court,
2 the court in the case of a defendant being sentenced
3 for a felony conviction for a violation of Section 2-
4 402 of Title 63 of the Oklahoma Statutes which
5 involves marijuana may require the person to
6 participate in a drug court program, if available. If
7 a drug court program is not available, the defendant
8 may be required to participate in a community
9 sanctions program, if available,

10 gg. in the case of a person convicted of any false or
11 bogus check violation, as defined in Section 1541.4 of
12 Title 21 of the Oklahoma Statutes, impose a fee of
13 Twenty-five Dollars (\$25.00) to the victim for each
14 check, and impose a bogus check fee to be paid to the
15 district attorney. The bogus check fee paid to the
16 district attorney shall be equal to the amount
17 assessed as court costs plus Twenty-five Dollars
18 (\$25.00) for each check upon filing of the case in
19 district court. This money shall be deposited in the
20 Bogus Check Restitution Program Fund as established in
21 subsection B of Section 114 of this title.

22 Additionally, the court may require the offender to
23 pay restitution and bogus check fees on any other
24

1 bogus check or checks that have been submitted to the
2 Bogus Check Restitution Program, and

3 hh. any other provision specifically ordered by the court.

4 However, any such order for restitution, community service,
5 payment to a local certified crime stoppers program, payment to the
6 Oklahoma Reward System or confinement in the county jail, or a
7 combination thereof, shall be made in conjunction with probation and
8 shall be made a condition of the suspended sentence.

9 ~~However, unless under the supervision of the district attorney,~~
10 ~~the offender shall be required to pay Forty Dollars (\$40.00) per~~
11 ~~month to the district attorney during the first two (2) years of~~
12 ~~probation to compensate the district attorney for the costs incurred~~
13 ~~during the prosecution of the offender and for the additional work~~
14 ~~of verifying the compliance of the offender with the rules and~~
15 ~~conditions of his or her probation. The district attorney may waive~~
16 ~~any part of this requirement in the best interests of justice. The~~
17 ~~court shall not waive, suspend, defer or dismiss the costs of~~
18 ~~prosecution in its entirety. However, if the court determines that~~
19 ~~a reduction in the fine, costs and costs of prosecution is~~
20 ~~warranted, the court shall equally apply the same percentage~~
21 ~~reduction to the fine, costs and costs of prosecution owed by the~~
22 ~~offender;~~

23 2. Impose a fine prescribed by law for the offense, with or
24 without probation or commitment and with or without restitution or

1 service as provided for in this section, Section 991a-4.1 of this
2 title or Section 227 of Title 57 of the Oklahoma Statutes;

3 3. Commit such person for confinement provided for by law with
4 or without restitution as provided for in this section;

5 4. Order the defendant to reimburse the Oklahoma State Bureau
6 of Investigation for costs incurred by that agency during its
7 investigation of the crime for which the defendant pleaded guilty,
8 nolo contendere or was convicted including compensation for
9 laboratory, technical or investigation services performed by the
10 Bureau if, in the opinion of the court, the defendant is able to pay
11 without imposing manifest hardship on the defendant, and if the
12 costs incurred by the Bureau during the investigation of the
13 defendant's case may be determined with reasonable certainty;

14 5. Order the defendant to reimburse the Oklahoma State Bureau
15 of Investigation for all costs incurred by that agency for cleaning
16 up an illegal drug laboratory site for which the defendant pleaded
17 guilty, nolo contendere or was convicted. The court clerk shall
18 collect the amount and may retain five percent (5%) of such monies
19 to be deposited in the Court Clerk's Revolving Fund to cover
20 administrative costs and shall remit the remainder to the Oklahoma
21 State Bureau of Investigation to be deposited in the OSBI Revolving
22 Fund established by Section 150.19a of Title 74 of the Oklahoma
23 Statutes;

1 6. In the case of nonviolent felony offenses, sentence such
2 person to the Community Service Sentencing Program;

3 7. In addition to the other sentencing powers of the court, in
4 the case of a person convicted of operating or being in control of a
5 motor vehicle while the person was under the influence of alcohol,
6 other intoxicating substance or a combination of alcohol or another
7 intoxicating substance, or convicted of operating a motor vehicle
8 while the ability of the person to operate such vehicle was impaired
9 due to the consumption of alcohol, require such person:

10 a. to participate in an alcohol and drug assessment and
11 evaluation by an assessment agency or assessment
12 personnel certified by the Department of Mental Health
13 and Substance Abuse Services pursuant to Section 3-460
14 of Title 43A of the Oklahoma Statutes and, as
15 determined by the assessment, participate in an
16 alcohol and drug substance abuse course or treatment
17 program or both, pursuant to Sections 3-452 and 3-453
18 of Title 43A of the Oklahoma Statutes,

19 b. to attend a victims impact panel program, as defined
20 in subsection H of this section, and to pay a fee of
21 Seventy-five Dollars (\$75.00) as set by the governing
22 authority of the program and approved by the court, to
23 the program to offset the cost of participation by the
24

1 defendant, if in the opinion of the court the
2 defendant has the ability to pay such fee,

3 c. to both participate in the alcohol and drug substance
4 abuse course or treatment program, pursuant to
5 subparagraph a of this paragraph and attend a victims
6 impact panel program, pursuant to subparagraph b of
7 this paragraph,

8 d. to install, at the expense of the person, an ignition
9 interlock device approved by the Board of Tests for
10 Alcohol and Drug Influence, upon every motor vehicle
11 operated by such person and to require that a notation
12 of this restriction be affixed to the person's driver
13 license at the time of reinstatement of the license.
14 The restriction shall remain on the driver license for
15 such period as the court shall determine. The
16 restriction may be modified or removed by order of the
17 court and notice of the order shall be given to
18 Service Oklahoma. Upon the expiration of the period
19 for the restriction, Service Oklahoma shall remove the
20 restriction without further court order. Failure to
21 comply with the order to install an ignition interlock
22 device or operating any vehicle without such device
23 during the period of restriction shall be a violation
24

1 of the sentence and may be punished as deemed proper
2 by the sentencing court, or

3 e. beginning January 1, 1993, to submit to electronically
4 monitored home detention administered and supervised
5 by the Department of Corrections, and to pay to the
6 Department a monitoring fee, not to exceed Seventy-
7 five Dollars (\$75.00) a month, to the Department of
8 Corrections, if in the opinion of the court the
9 defendant has the ability to pay such fee. Any fees
10 collected pursuant to this subparagraph shall be
11 deposited in the Department of Corrections Revolving
12 Fund. Any order by the court for the payment of the
13 monitoring fee, if willfully disobeyed, may be
14 enforced as an indirect contempt of court;

15 8. In addition to the other sentencing powers of the court, in
16 the case of a person convicted of prostitution pursuant to Section
17 1029 of Title 21 of the Oklahoma Statutes, require such person to
18 receive counseling for the behavior which may have caused such
19 person to engage in prostitution activities. Such person may be
20 required to receive counseling in areas including but not limited to
21 alcohol and substance abuse, sexual behavior problems or domestic
22 abuse or child abuse problems;

23 9. In addition to the other sentencing powers of the court, in
24 the case of a person convicted of any crime related to domestic

1 abuse, as defined in Section 60.1 of this title, the court may
2 require the defendant to undergo the treatment or participate in the
3 counseling services necessary to bring about the cessation of
4 domestic abuse against the victim. The defendant may be required to
5 pay all or part of the cost of the treatment or counseling services;

6 10. In addition to the other sentencing powers of the court,
7 the court, in the case of a sex offender sentenced after November 1,
8 1989, and required by law to register pursuant to the Sex Offenders
9 Registration Act, shall require the defendant to participate in a
10 treatment program designed specifically for the treatment of sex
11 offenders, if available. The treatment program will include
12 polygraph examinations specifically designed for use with sex
13 offenders for the purpose of supervision and treatment compliance,
14 provided the examination is administered by a certified licensed
15 polygraph examiner. The treatment program must be approved by the
16 Department of Corrections or the Department of Mental Health and
17 Substance Abuse Services. Such treatment shall be at the expense of
18 the defendant based on the ability of the defendant to pay;

19 11. In addition to the other sentencing powers of the court,
20 the court, in the case of a person convicted of abuse or neglect of
21 a child, as defined in Section 1-1-105 of Title 10A of the Oklahoma
22 Statutes, may require the person to undergo treatment or to
23 participate in counseling services. The defendant may be required
24

1 to pay all or part of the cost of the treatment or counseling
2 services;

3 12. In addition to the other sentencing powers of the court,
4 the court, in the case of a person convicted of cruelty to animals
5 pursuant to Section 1685 of Title 21 of the Oklahoma Statutes, may
6 require the person to pay restitution to animal facilities for
7 medical care and any boarding costs of victimized animals;

8 13. In addition to the other sentencing powers of the court, a
9 sex offender who is habitual or aggravated as defined by Section 584
10 of Title 57 of the Oklahoma Statutes and who is required to register
11 as a sex offender pursuant to the Sex Offenders Registration Act
12 shall be supervised by the Department of Corrections for the
13 duration of the registration period and shall be assigned to a
14 global position monitoring device by the Department of Corrections
15 for the duration of the registration period. The cost of such
16 monitoring device shall be reimbursed by the offender;

17 14. In addition to the other sentencing powers of the court, in
18 the case of a sex offender who is required by law to register
19 pursuant to the Sex Offenders Registration Act, the court may
20 prohibit the person from accessing or using any Internet social
21 networking website that has the potential or likelihood of allowing
22 the sex offender to have contact with any child who is under the age
23 of eighteen (18) years;

24

1 15. In addition to the other sentencing powers of the court, in
2 the case of a sex offender who is required by law to register
3 pursuant to the Sex Offenders Registration Act, the court shall
4 require the person to register any electronic mail address
5 information, instant message, chat or other Internet communication
6 name or identity information that the person uses or intends to use
7 while accessing the Internet or used for other purposes of social
8 networking or other similar Internet communication; or

9 16. In addition to the other sentencing powers of the court,
10 and pursuant to the terms and conditions of a written plea
11 agreement, the court may prohibit the defendant from entering,
12 visiting or residing within the judicial district in which the
13 defendant was convicted until after completion of his or her
14 sentence; provided, however, the court shall ensure that the
15 defendant has access to those services or programs for which the
16 defendant is required to participate as a condition of probation.
17 When seeking to enter the prohibited judicial district for personal
18 business not related to his or her criminal case, the defendant
19 shall be required to obtain approval by the court.

20 B. Notwithstanding any other provision of law, any person who
21 is found guilty of a violation of any provision of Section 761 or
22 11-902 of Title 47 of the Oklahoma Statutes or any person pleading
23 guilty or nolo contendere for a violation of any provision of such
24 sections shall be ordered to participate in, prior to sentencing, an

1 alcohol and drug assessment and evaluation by an assessment agency
2 or assessment personnel certified by the Department of Mental Health
3 and Substance Abuse Services for the purpose of evaluating the
4 receptivity to treatment and prognosis of the person. The court
5 shall order the person to reimburse the agency or assessor for the
6 evaluation. The fee shall be the amount provided in subsection C of
7 Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation
8 shall be conducted at a certified assessment agency, the office of a
9 certified assessor or at another location as ordered by the court.
10 The agency or assessor shall, within seventy-two (72) hours from the
11 time the person is assessed, submit a written report to the court
12 for the purpose of assisting the court in its final sentencing
13 determination. No person, agency or facility operating an alcohol
14 and drug substance abuse evaluation program certified by the
15 Department of Mental Health and Substance Abuse Services shall
16 solicit or refer any person evaluated pursuant to this subsection
17 for any treatment program or alcohol and drug substance abuse
18 service in which such person, agency or facility has a vested
19 interest; however, this provision shall not be construed to prohibit
20 the court from ordering participation in or any person from
21 voluntarily utilizing a treatment program or alcohol and drug
22 substance abuse service offered by such person, agency or facility.
23 If a person is sentenced to the custody of the Department of
24 Corrections and the court has received a written evaluation report

1 pursuant to this subsection, the report shall be furnished to the
2 Department of Corrections with the judgment and sentence. Any
3 evaluation report submitted to the court pursuant to this subsection
4 shall be handled in a manner which will keep such report
5 confidential from the general public's review. Nothing contained in
6 this subsection shall be construed to prohibit the court from
7 ordering judgment and sentence in the event the defendant fails or
8 refuses to comply with an order of the court to obtain the
9 evaluation required by this subsection.

10 C. When sentencing a person convicted of a crime, the court
11 shall first consider a program of restitution for the victim, as
12 well as imposition of a fine or incarceration of the offender. The
13 provisions of paragraph 1 of subsection A of this section shall not
14 apply to defendants being sentenced upon their third or subsequent
15 to their third conviction of a felony. Provided, the court may
16 waive these prohibitions upon written application of the district
17 attorney. Both the application and the waiver shall be made part of
18 the record of the case.

19 D. When sentencing a person convicted of a crime, the judge
20 shall consider any victim impact statements if submitted to the
21 jury, or the judge in the event a jury is waived.

22 E. Probation, for purposes of subsection A of this section, is
23 a procedure by which a defendant found guilty of a crime, whether
24 upon a verdict or plea of guilty or upon a plea of nolo contendere,

1 is released by the court subject to conditions imposed by the court
2 and subject to supervision by the Department of Corrections, a
3 private supervision provider or other person designated by the
4 court. Such supervision shall be initiated upon an order of
5 probation from the court, and shall not exceed two (2) years, unless
6 a petition alleging a violation of any condition of deferred
7 judgment or seeking revocation of the suspended sentence is filed
8 during the supervision, or as otherwise provided by law. In the
9 case of a person convicted of a sex offense, supervision shall begin
10 immediately upon release from incarceration or if parole is granted
11 and shall not be limited to two (2) years. Provided further, any
12 supervision provided for in this section may be extended for a
13 period not to exceed the expiration of the maximum term or terms of
14 the sentence upon a determination by the court or the Division of
15 Probation and Parole of the Department of Corrections that the best
16 interests of the public and the release will be served by an
17 extended period of supervision.

18 F. The Department of Corrections, or such other agency as the
19 court may designate, shall be responsible for the monitoring and
20 administration of the restitution and service programs provided for
21 by subparagraphs a, c and d of paragraph 1 of subsection A of this
22 section, and shall ensure that restitution payments are forwarded to
23 the victim and that service assignments are properly performed.

24

1 G. 1. The Department of Corrections is hereby authorized,
2 subject to funds available through appropriation by the Legislature,
3 to contract with counties for the administration of county Community
4 Service Sentencing Programs.

5 2. Any offender eligible to participate in the Program pursuant
6 to this section shall be eligible to participate in a county
7 Program; provided, participation in county-funded Programs shall not
8 be limited to offenders who would otherwise be sentenced to
9 confinement with the Department of Corrections.

10 3. The Department shall establish criteria and specifications
11 for contracts with counties for such Programs. A county may apply
12 to the Department for a contract for a county-funded Program for a
13 specific period of time. The Department shall be responsible for
14 ensuring that any contracting county complies in full with
15 specifications and requirements of the contract. The contract shall
16 set appropriate compensation to the county for services to the
17 Department.

18 4. The Department is hereby authorized to provide technical
19 assistance to any county in establishing a Program, regardless of
20 whether the county enters into a contract pursuant to this
21 subsection. Technical assistance shall include appropriate
22 staffing, development of community resources, sponsorship,
23 supervision and any other requirements.

24

1 5. The Department shall annually make a report to the Governor,
2 the President Pro Tempore of the Senate and the Speaker of the House
3 on the number of such Programs, the number of participating
4 offenders, the success rates of each Program according to criteria
5 established by the Department and the costs of each Program.

6 H. As used in this section:

7 1. "Ignition interlock device" means a device that, without
8 tampering or intervention by another person, would prevent the
9 defendant from operating a motor vehicle if the defendant has a
10 blood or breath alcohol concentration of two-hundredths (0.02) or
11 greater;

12 2. "Electronically monitored home detention" means
13 incarceration of the defendant within a specified location or
14 locations with monitoring by means of a device approved by the
15 Department of Corrections that detects if the person leaves the
16 confines of any specified location; and

17 3. "Victims impact panel program" means a program conducted by
18 a corporation registered with the Secretary of State in Oklahoma for
19 the sole purpose of operating a victims impact panel program. The
20 program shall include live presentations from presenters who will
21 share personal stories with participants about how alcohol, drug
22 abuse, the operation of a motor vehicle while using an electronic
23 communication device or the illegal conduct of others has personally
24 impacted the lives of the presenters. A victims impact panel

1 program shall be attended by persons who have committed the offense
2 of driving, operating or being in actual physical control of a motor
3 vehicle while under the influence of alcohol or other intoxicating
4 substance, operating a motor vehicle while the ability of the person
5 to operate such vehicle was impaired due to the consumption of
6 alcohol or any other substance or operating a motor vehicle while
7 using an electronic device or by persons who have been convicted of
8 furnishing alcoholic beverage to persons under twenty-one (21) years
9 of age, as provided in Sections 6-101 and 6-120 of Title 37A of the
10 Oklahoma Statutes. Persons attending a victims impact panel program
11 shall be required to pay a fee of Seventy-five Dollars (\$75.00) to
12 the provider of the program. A certificate of completion shall be
13 issued to the person upon satisfying the attendance and fee
14 requirements of the victims impact panel program. The certificate
15 of completion shall contain the business identification number of
16 the program provider. A certified assessment agency, certified
17 assessor or provider of an alcohol and drug substance abuse course
18 shall be prohibited from providing a victims impact panel program
19 and shall further be prohibited from having any proprietary or
20 pecuniary interest in a victims impact panel program. The provider
21 of the victims impact panel program shall carry general liability
22 insurance and maintain an accurate accounting of all business
23 transactions and funds received in relation to the victims impact
24 panel program. Beginning October 1, 2020, and each October 1

1 thereafter, the provider of the victims impact panel program shall
2 provide to the District Attorneys Council the following:

- 3 a. proof of registration with the Oklahoma Secretary of
4 State,
- 5 b. proof of general liability insurance,
- 6 c. end-of-year financial statements prepared by a
7 certified public accountant,
- 8 d. a copy of federal income tax returns filed with the
9 Internal Revenue Service,
- 10 e. a registration fee of One Thousand Dollars
11 (\$1,000.00). The registration fee shall be deposited
12 in the District Attorneys Council Revolving Fund
13 created in Section 215.28 of Title 19 of the Oklahoma
14 Statutes, and
- 15 f. a statement certifying that the provider of the
16 victims impact panel program has complied with all of
17 the requirements set forth in this paragraph.

18 I. A person convicted of a felony offense or receiving any form
19 of probation for an offense in which registration is required
20 pursuant to the Sex Offenders Registration Act, shall submit to
21 deoxyribonucleic acid (DNA) testing for law enforcement
22 identification purposes in accordance with Section 150.27 of Title
23 74 of the Oklahoma Statutes and the rules promulgated by the
24 Oklahoma State Bureau of Investigation for the OSBI Combined DNA

1 Index System (CODIS) Database. Subject to the availability of
2 funds, any person convicted of a misdemeanor offense of assault and
3 battery, domestic abuse, stalking, possession of a controlled
4 substance prohibited under the Uniform Controlled Dangerous
5 Substances Act, outraging public decency, resisting arrest, escape
6 or attempting to escape, eluding a police officer, Peeping Tom,
7 pointing a firearm, threatening an act of violence, breaking and
8 entering a dwelling place, destruction of property, negligent
9 homicide or causing a personal injury accident while driving under
10 the influence of any intoxicating substance, or any alien unlawfully
11 present under federal immigration law, upon arrest, shall submit to
12 DNA testing for law enforcement identification purposes in
13 accordance with Section 150.27 of Title 74 of the Oklahoma Statutes
14 and the rules promulgated by the Oklahoma State Bureau of
15 Investigation for the OSBI Combined DNA Index System (CODIS)
16 Database. Any defendant sentenced to probation shall be required to
17 submit to testing within thirty (30) days of sentencing either to
18 the Department of Corrections or to the county sheriff or other
19 peace officer as directed by the court. Defendants who are
20 sentenced to a term of incarceration shall submit to testing in
21 accordance with Section 530.1 of Title 57 of the Oklahoma Statutes,
22 for those defendants who enter the custody of the Department of
23 Corrections or to the county sheriff, for those defendants sentenced
24 to incarceration in a county jail. Convicted individuals who have

1 previously submitted to DNA testing under this section and for whom
2 a valid sample is on file in the OSBI Combined DNA Index System
3 (CODIS) Database at the time of sentencing shall not be required to
4 submit to additional testing. Except as required by the Sex
5 Offenders Registration Act, a deferred judgment does not require
6 submission to DNA testing.

7 Any person who is incarcerated in the custody of the Department
8 of Corrections after July 1, 1996, and who has not been released
9 before January 1, 2006, shall provide a blood or saliva sample prior
10 to release. Every person subject to DNA testing after January 1,
11 2006, whose sentence does not include a term of confinement with the
12 Department of Corrections shall submit a blood or saliva sample.
13 Every person subject to DNA testing who is sentenced to unsupervised
14 probation or otherwise not supervised by the Department of
15 Corrections shall submit for blood or saliva testing to the sheriff
16 of the sentencing county.

17 J. Samples of blood or saliva for DNA testing required by
18 subsection I of this section shall be taken by employees or
19 contractors of the Department of Corrections, peace officers, or the
20 county sheriff or employees or contractors of the sheriff's office.
21 The individuals shall be properly trained to collect blood or saliva
22 samples. Persons collecting blood or saliva for DNA testing
23 pursuant to this section shall be immune from civil liabilities
24 arising from this activity. All collectors of DNA samples shall

1 ensure the collection of samples are mailed to the Oklahoma State
2 Bureau of Investigation within ten (10) days of the time the subject
3 appears for testing or within ten (10) days of the date the subject
4 comes into physical custody to serve a term of incarceration. All
5 collectors of DNA samples shall use sample kits provided by the OSBI
6 and procedures promulgated by the OSBI. Persons subject to DNA
7 testing who are not received at the Lexington Assessment and
8 Reception Center shall be required to pay a fee of Fifteen Dollars
9 (\$15.00) to the agency collecting the sample for submission to the
10 OSBI Combined DNA Index System (CODIS) Database. Any fees collected
11 pursuant to this subsection shall be deposited in the revolving
12 account or the service fee account of the collection agency or
13 department.

14 K. When sentencing a person who has been convicted of a crime
15 that would subject that person to the provisions of the Sex
16 Offenders Registration Act, neither the court nor the district
17 attorney shall be allowed to waive or exempt such person from the
18 registration requirements of the Sex Offenders Registration Act.

19 SECTION 2. AMENDATORY 22 O.S. 2021, Section 991c, is
20 amended to read as follows:

21 Section 991c. A. Upon a verdict or plea of guilty or upon a
22 plea of nolo contendere, but before a judgment of guilt, the court
23 may, without entering a judgment of guilt and with the consent of
24 the defendant, defer further proceedings upon the specific

1 conditions prescribed by the court not to exceed a seven-year
2 period, except as authorized under subsection B of this section.

3 The court shall first consider restitution among the various
4 conditions it may prescribe. The court may also consider ordering
5 the defendant to:

6 1. Pay court costs;

7 2. Pay an assessment in lieu of any fine authorized by law for
8 the offense;

9 3. Pay any other assessment or cost authorized by law;

10 4. Engage in a term of community service without compensation,
11 according to a schedule consistent with the employment and family
12 responsibilities of the defendant;

13 5. County jail confinement for a period not to exceed ninety
14 (90) days or the maximum amount of jail time provided for the
15 offense, if it is less than ninety (90) days;

16 6. Pay an amount as reimbursement for reasonable attorney fees,
17 to be paid into the court fund, if a court-appointed attorney has
18 been provided to the defendant;

19 7. Be supervised in the community for a period not to exceed
20 eighteen (18) months, unless a petition alleging violation of any
21 condition of deferred judgment is filed during the period of
22 supervision. ~~As a condition of any supervision, the defendant shall~~
23 ~~be required to pay a supervision fee of Forty Dollars (\$40.00) per~~
24 ~~month. The supervision fee shall be waived in whole or part by the~~

1 ~~supervisory agency when the accused is indigent. Any fees collected~~
2 ~~by the district attorney pursuant to this paragraph shall be~~
3 ~~deposited in the General Revenue Fund of the State Treasury. No~~
4 ~~person shall be denied supervision based solely on the inability of~~
5 ~~the person to pay a fee;~~

6 8. Pay into the court fund a monthly amount not exceeding Forty
7 Dollars (\$40.00) per month during any period during which the
8 proceedings are deferred when the defendant is not to be supervised
9 in the community. The total amount to be paid into the court fund
10 shall be established by the court and shall not exceed the amount of
11 the maximum fine authorized by law for the offense;

12 9. Make other reparations to the community or victim as
13 required and deemed appropriate by the court;

14 10. Order any conditions which can be imposed for a suspended
15 sentence pursuant to paragraph 1 of subsection A of Section 991a of
16 this title; or

17 11. Any combination of the above provisions.

18 ~~However, unless under the supervision of the district attorney,~~
19 ~~the offender shall be required to pay Forty Dollars (\$40.00) per~~
20 ~~month to the district attorney during the first two (2) years of~~
21 ~~probation to compensate the district attorney for the costs incurred~~
22 ~~during the prosecution of the offender and for the additional work~~
23 ~~of verifying the compliance of the offender with the rules and~~
24 ~~conditions of his or her probation. The district attorney may waive~~

1 ~~any part of this requirement in the best interests of justice. The~~
2 ~~court shall not waive, suspend, defer or dismiss the costs of~~
3 ~~prosecution in its entirety. However, if the court determines that~~
4 ~~a reduction in the fine, costs and costs of prosecution is~~
5 ~~warranted, the court shall equally apply the same percentage~~
6 ~~reduction to the fine, costs and costs of prosecution owed by the~~
7 ~~offender. Any fees collected by the district attorney pursuant to~~
8 ~~this paragraph shall be deposited in the General Revenue Fund of the~~
9 ~~State Treasury.~~

10 B. When the court has ordered restitution as a condition of
11 supervision as provided for in subsection A of this section and that
12 condition has not been satisfied, the court may, at any time prior
13 to the termination or expiration of the supervision period, order an
14 extension of supervision for a period not to exceed three (3) years.

15 C. In addition to any conditions of supervision provided for in
16 subsection A of this section, the court shall, in the case of a
17 person before the court for the offense of operating or being in
18 control of a motor vehicle while the person was under the influence
19 of alcohol, other intoxicating substance, or a combination of
20 alcohol and another intoxicating substance, or who is before the
21 court for the offense of operating a motor vehicle while the ability
22 of the person to operate such vehicle was impaired due to the
23 consumption of alcohol, require the person to participate in an
24 alcohol and drug substance abuse evaluation program offered by a

1 facility or qualified practitioner certified by the Department of
2 Mental Health and Substance Abuse Services for the purpose of
3 evaluating the receptivity to treatment and prognosis of the person.
4 The court shall order the person to reimburse the facility or
5 qualified practitioner for the evaluation. The Department of Mental
6 Health and Substance Abuse Services shall establish a fee schedule,
7 based upon the ability of a person to pay, provided the fee for an
8 evaluation shall not exceed Seventy-five Dollars (\$75.00). The
9 evaluation shall be conducted at a certified facility, the office of
10 a qualified practitioner or at another location as ordered by the
11 court. The facility or qualified practitioner shall, within
12 seventy-two (72) hours from the time the person is assessed, submit
13 a written report to the court for the purpose of assisting the court
14 in its determination of conditions for deferred sentence. No
15 person, agency or facility operating an alcohol and drug substance
16 abuse evaluation program certified by the Department of Mental
17 Health and Substance Abuse Services shall solicit or refer any
18 person evaluated pursuant to this subsection for any treatment
19 program or alcohol and drug substance abuse service in which the
20 person, agency or facility has a vested interest; however, this
21 provision shall not be construed to prohibit the court from ordering
22 participation in or any person from voluntarily utilizing a
23 treatment program or alcohol and drug substance abuse service
24 offered by such person, agency or facility. Any evaluation report

1 submitted to the court pursuant to this subsection shall be handled
2 in a manner which will keep the report confidential from review by
3 the general public. Nothing contained in this subsection shall be
4 construed to prohibit the court from ordering judgment and sentence
5 in the event the defendant fails or refuses to comply with an order
6 of the court to obtain the evaluation required by this subsection.
7 As used in this subsection, "qualified practitioner" means a person
8 with at least a bachelor's degree in substance abuse treatment,
9 mental health or a related health care field and at least two (2)
10 years of experience in providing alcohol abuse treatment, other drug
11 abuse treatment, or both alcohol and other drug abuse treatment who
12 is certified each year by the Department of Mental Health and
13 Substance Abuse Services to provide these assessments. However, any
14 person who does not meet the requirements for a qualified
15 practitioner as defined herein, but who has been previously
16 certified by the Department of Mental Health and Substance Abuse
17 Services to provide alcohol or drug treatment or assessments, shall
18 be considered a qualified practitioner provided all education,
19 experience and certification requirements stated herein are met by
20 September 1, 1995. The court may also require the person to
21 participate in one or both of the following:

- 22 1. An alcohol and drug substance abuse course, pursuant to
23 Sections 3-452 and 3-453 of Title 43A of the Oklahoma Statutes; and
24

1 2. A victims impact panel program, as defined in subsection H
2 of Section 991a of this title, if such a program is offered in the
3 county where the judgment is rendered. The defendant shall be
4 required to pay a fee of Seventy-five Dollars (\$75.00) as set by the
5 governing authority of the program and approved by the court to the
6 victims impact panel program to offset the cost of participation by
7 the defendant, if in the opinion of the court the defendant has the
8 ability to pay such fee.

9 D. Upon completion of the conditions of the deferred judgment,
10 and upon a finding by the court that the conditions have been met
11 and all fines, fees, and monetary assessments have been paid as
12 ordered, the defendant shall be discharged without a court judgment
13 of guilt, and the court shall order the verdict or plea of guilty or
14 plea of nolo contendere to be expunged from the record and the
15 charge shall be dismissed with prejudice to any further action. The
16 procedure to expunge the record of the defendant shall be as
17 follows:

18 1. All references to the name of the defendant shall be deleted
19 from the docket sheet;

20 2. The public index of the filing of the charge shall be
21 expunged by deletion, mark-out or obliteration;

22 3. Upon expungement, the court clerk shall keep a separate
23 confidential index of case numbers and names of defendants which
24 have been obliterated pursuant to the provisions of this section;

1 4. No information concerning the confidential file shall be
2 revealed or released, except upon written order of a judge of the
3 district court or upon written request by the named defendant to the
4 court clerk for the purpose of updating the criminal history record
5 of the defendant with the Oklahoma State Bureau of Investigation;
6 and

7 5. Defendants qualifying under Section 18 of this title may
8 petition the court to have the filing of the indictment and the
9 dismissal expunged from the public index and docket sheet. This
10 section shall not be mutually exclusive of Section 18 of this title.

11 Records expunged pursuant to this subsection shall be sealed to
12 the public but not to law enforcement agencies for law enforcement
13 purposes. Records expunged pursuant to this subsection shall be
14 admissible in any subsequent criminal prosecution to prove the
15 existence of a prior conviction or prior deferred judgment without
16 the necessity of a court order requesting the unsealing of such
17 records.

18 E. The provisions of subsection D of this section shall be
19 retroactive.

20 F. Whenever a judgment has been deferred by the court according
21 to the provisions of this section, deferred judgment may not be
22 accelerated for any technical violation unless a petition setting
23 forth the grounds for such acceleration is filed by the district
24 attorney with the clerk of the sentencing court and competent

1 evidence justifying the acceleration of the judgment is presented to
2 the court at a hearing to be held for that purpose. The hearing
3 shall be held not more than twenty (20) days after the entry of the
4 plea of not guilty to the petition, unless waived by both the state
5 and the defendant. Any acceleration of a deferred sentence based on
6 a technical violation shall not exceed ninety (90) days for a first
7 acceleration or five (5) years for a second or subsequent
8 acceleration.

9 G. Upon any violation of the deferred judgment, other than a
10 technical violation, the court may enter a judgment of guilt and
11 proceed as provided in Section 991a of this title or may modify any
12 condition imposed. Provided, however, if the deferred judgment is
13 for a felony offense, and the defendant commits another felony
14 offense, the defendant shall not be allowed bail pending appeal.

15 H. The deferred judgment procedure described in this section
16 shall apply only to defendants who have not been previously
17 convicted of a felony offense and have not received more than one
18 deferred judgment for a felony offense within the ten (10) years
19 previous to the commission of the pending offense.

20 Provided, the court may waive this prohibition upon written
21 application of the district attorney. Both the application and the
22 waiver shall be made a part of the record of the case.

23 I. The deferred judgment procedure described in this section
24 shall not apply to defendants found guilty or who plead guilty or

1 nolo contendere to a sex offense required by law to register
2 pursuant to the Sex Offenders Registration Act.

3 J. All defendants who are supervised pursuant to this section
4 shall be subject to the sanction process as established in
5 subsection D of Section 991b of this title.

6 K. Notwithstanding the provisions of subsections F and G of
7 this section, a person who is being considered for an acceleration
8 of a deferred judgment for an offense where the penalty has
9 subsequently been lowered to a misdemeanor shall only be subject to
10 a judgment and sentence that would have been applicable had he or
11 she committed the offense after July 1, 2017.

12 SECTION 3. AMENDATORY 22 O.S. 2021, Section 991d, is
13 amended to read as follows:

14 Section 991d. A. 1. When the court orders supervision by the
15 Department of Corrections, or the district attorney requires the
16 Department to supervise any person pursuant to a deferred
17 prosecution agreement, the person shall be required to pay a
18 supervision fee of Forty Dollars (\$40.00) per month during the
19 supervision period, unless the fee would impose an unnecessary
20 hardship on the person. In hardship cases, the Department shall
21 expressly waive all or part of the fee. The court shall make
22 payment of the fee a condition of the sentence which shall be
23 imposed whether the supervision is incident to the suspending of
24 execution of a sentence, incident to the suspending of imposition of

1 a sentence, or incident to the deferral of proceedings after a
2 verdict or plea of guilty. The Department shall determine methods
3 for payment of supervision fee, and may charge a reasonable user fee
4 for collection of supervision fees electronically. The Department
5 is required to report to the sentencing court any failure of the
6 person to pay supervision fees and to report immediately if the
7 person violates any condition of the sentence.

8 ~~2. When the court imposes a suspended or deferred sentence for~~
9 ~~any offense and does not order supervision by the Department of~~
10 ~~Corrections, the offender shall be required to pay to the district~~
11 ~~attorney a supervision fee of Forty Dollars (\$40.00) per month as a~~
12 ~~fee to compensate the district attorney for the actual act of~~
13 ~~supervising the offender during the applicable period of~~
14 ~~supervision. In hardship cases, the district attorney shall~~
15 ~~expressly waive all or part of the fee. Any fees collected by the~~
16 ~~district attorney pursuant to this paragraph shall be deposited in~~
17 ~~the General Revenue Fund of the State Treasury.~~

18 ~~3.~~ If restitution is ordered by the court in conjunction with
19 supervision, the supervision fee will be paid in addition to the
20 restitution ordered. In addition to the restitution payment and
21 supervision fee, a reasonable user fee may be charged by the
22 Department of Corrections to cover the expenses of administration of
23 the restitution, except no user fee shall be collected by the
24 Department when restitution payment is collected and disbursed to

1 the victim by the office of the district attorney as provided in
2 Section 991f of this title or Section 991f-1.1 of this title.

3 B. The Pardon and Parole Board shall require a supervision fee
4 to be paid by the parolee as a condition of parole which shall be
5 paid to the Department of Corrections. The Department shall
6 determine the amount of the fee as provided for other persons under
7 supervision by the Department.

8 C. Upon acceptance of an offender by the Department of
9 Corrections whose probation or parole supervision was transferred to
10 Oklahoma through the Interstate Compact Agreement, or upon the
11 assignment of an inmate to any community placement, a fee shall be
12 required to be paid by the offender to the Department of Corrections
13 as provided for other persons under supervision of the Department.

14 D. ~~Except as provided in subsection A and this subsection, all~~
15 All fees collected pursuant to this section shall be deposited in
16 the Department of Corrections Revolving Fund created pursuant to
17 Section 557 of Title 57 of the Oklahoma Statutes. For the fiscal
18 year ending June 30, 1996, fifty percent (50%) of all collections
19 received from offenders placed on supervision after July 1, 1995,
20 shall be transferred to the credit of the General Revenue Fund of
21 the State Treasury until such time as total transfers equal Three
22 Million Three Hundred Thousand Dollars (\$3,300,000.00).

23
24

SECTION 4. This act shall become effective November 1, 2025.

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