1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	2nd Session of the 58th Legislature (2022)
4	HOUSE BILL 3053 By: Boles of the House
5	and
6	Paxton of the Senate
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9	AS INTRODUCED
10	An Act relating to criminal procedure; amending 22
11	sentences to be deferred when offenders successfully complete drug court programs; and providing an
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13	effective date.
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15	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
16	SECTION 1. AMENDATORY 22 O.S. 2021, Section 471.9, is
17	amended to read as follows:
18	Section 471.9 A. When an offender has successfully completed
19	the drug court program, the criminal case against the offender shall
20	be:
21	1. Dismissed or the sentence deferred if the offense was a
22	first felony offense; or
23	2. If the offender has a prior felony conviction, the
24	disposition shall be as specified in the written plea agreement.

- B. The final disposition order for a drug court case shall be filed with the judge assigned to the case, and shall indicate the sentence specified in the written plea agreement. A copy of the final disposition order for the drug court case shall also be filed in the original criminal case file under the control of the court clerk which is open to the public for inspection. Original criminal case files which are under the control of the court clerk and which are subsequently assigned to the drug court program shall be marked with a pending notation until a final disposition order is entered in the drug court case. After an offender completes the program, the drug court case file shall be sealed by the judge and may be destroyed after ten (10) years. The district attorney shall have access to sealed drug court case files without a court order.
- C. A record pertaining to an offense resulting in a successful completion of a drug court program shall not, without the offender's consent in writing, be used in any way which could result in the denial of any employee benefit.
- D. Successful completion of a drug court program shall not prohibit any administrative agency from taking disciplinary action against any licensee or from denying a license or privilege as may be required by law.
- E. When the offender has successfully completed the drug court program, the drug court judge shall have the discretion to expressly waive all or part of the court costs and fees, driver license

1	reinstatement fees, if applicable, and fines associated with the
2	criminal case if, in the opinion of the drug court judge, continued
3	payment of the court costs, fees and fines by the offender would
4	create a financial hardship for the offender, including specifically
5	the discretion to waive any requirement that fines and costs be
6	satisfied by a person prior to that person being eligible for a
7	provisional driver license pursuant to Section 6-212 of Title 47 of
8	the Oklahoma Statutes.
9	SECTION 2. This act shall become effective November 1, 2022.
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11	COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS, dated 02/17/2022 - DO PASS, As Coauthored.
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