

By: Pugh and Rader of the
Senate

3 and

4 Miller of the House
5

6 An Act relating to criminal records; amending 22 O.S.
7 2021, Section 18, as last amended by Section 1,
8 Chapter 259, O.S.L. 2024 (22 O.S. Supp. 2025, Section
9 18), which relates to expungement of records;
10 conforming duplicate section; modifying definitions;
11 removing eligibility for automatic expungement of
12 certain records; modifying requirements for sealing
13 of certain records; defining terms; providing for
14 eligibility for sealing of certain records without
15 petition to the court; establishing requirements for
16 expungement of certain records; providing for
17 admissibility of expunged records for certain
18 purposes; amending 22 O.S. 2021, Section 19, as last
19 amended by Section 1, Chapter 292, O.S.L. 2025 (22
20 O.S. Supp. 2025, Section 19), which relates to
21 sealing and unsealing of records; removing certain
22 procedures for certain automatic expungements;
23 providing exception to applicability of certain
24 licensing application requirement; requiring Oklahoma
State Bureau of Investigation to establish and
maintain certain portal; establishing procedures for
review of expedited expungement requests; requiring
implementation of automatic process for sealing of
certain records by certain date; requiring
publication and submission of certain annual report;
establishing requirements for automated expungement
process; establishing procedures for objection to
expungement of certain records; authorizing
promulgation of rules by Oklahoma State Bureau of
Investigation and Supreme Court; requiring certain
court orders upon approval of expungement of certain
records; requiring certain agencies to seal records
upon receipt of expungement order; preserving right
of persons to petition court for expungement or to
request unsealing of records; prohibiting cause of
action for certain purposes; construing provisions;
clarifying applicability of certain provisions;

1 updating statutory language; repealing 22 O.S. 2021,
2 Section 18, as last amended by Section 12, Chapter
3 452, O.S.L. 2024 (22 O.S. Supp. 2025, Section 18),
4 which relates to expungement of records; providing
5 for codification; providing an effective date; and
6 declaring an emergency.

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

8 SECTION 1. AMENDATORY 22 O.S. 2021, Section 18, as last
9 amended by Section 1, Chapter 259, O.S.L. 2024 (22 O.S. Supp. 2025,
10 Section 18), is amended to read as follows:

11 Section 18. A. Persons authorized to file a motion for
12 expungement, as provided ~~herein~~ in this section, ~~must~~ shall be
13 within one of the following categories:

14 1. The person has been acquitted;

15 2. The conviction was reversed with instructions to dismiss by
16 an appellate court of competent jurisdiction, or an appellate court
17 of competent jurisdiction reversed the conviction and the
18 prosecuting agency subsequently dismissed the charge;

19 3. The factual innocence of the person was established by the
20 use of deoxyribonucleic acid (DNA) evidence subsequent to
21 conviction, including a person who has been released from prison at
22 the time innocence was established;

23 4. The person has received a full pardon by the Governor for
24 the crime for which the person was sentenced;

1 5. The person was arrested and no charges of any type,
2 including charges for an offense different than that for which the
3 person was originally arrested, are filed and the statute of
4 limitations has expired or the prosecuting agency has declined to
5 file charges;

6 6. The person was under eighteen (18) years of age at the time
7 the offense was committed and the person has received a full pardon
8 for the offense;

9 7. The person was charged with one or more misdemeanor or
10 felony crimes, all charges have been dismissed, the person has never
11 been convicted of a felony, no misdemeanor or felony charges are
12 pending against the person and the statute of limitations for
13 refiling the charge or charges has expired or the prosecuting agency
14 confirms that the charge or charges will not be refiled; provided,
15 however, this category shall not apply to charges that have been
16 dismissed following the completion of a deferred judgment or delayed
17 sentence;

18 8. The person was charged with a misdemeanor, the charge was
19 dismissed following the successful completion of a deferred judgment
20 or delayed sentence, the person has never been convicted of a
21 felony, no misdemeanor or felony charges are pending against the
22 person and at least one (1) year has passed since the charge was
23 dismissed;

24

1 9. The person was charged with a nonviolent felony offense not
2 listed in Section 571 of Title 57 of the Oklahoma Statutes, the
3 charge was dismissed following the successful completion of a
4 deferred judgment or delayed sentence, the person has never been
5 convicted of a felony, no misdemeanor or felony charges are pending
6 against the person and at least five (5) years have passed since the
7 charge was dismissed;

8 10. The person was convicted of a misdemeanor offense, the
9 person was sentenced to a fine less than Five Hundred One Dollars
10 (\$501.00) without a term of imprisonment or a suspended sentence,
11 the fine has been paid or satisfied by time served in lieu of the
12 fine, the person has not been convicted of a felony and no felony or
13 misdemeanor charges are pending against the person;

14 11. The person was convicted of a misdemeanor offense, the
15 person was sentenced to a term of imprisonment, a suspended sentence
16 or a fine in an amount greater than Five Hundred Dollars (\$500.00),
17 the person has not been convicted of a felony, no felony or
18 misdemeanor charges are pending against the person and at least five
19 (5) years have passed since the end of the last misdemeanor
20 sentence;

21 12. The person was convicted of a nonviolent felony offense not
22 listed in Section 571 of Title 57 of the Oklahoma Statutes, the
23 person has not been convicted of any other felony, the person has
24 not been convicted of a separate misdemeanor in the last seven (7)

1 years, no felony or misdemeanor charges are pending against the
2 person and at least five (5) years have passed since the completion
3 of the sentence for the felony conviction;

4 13. The person was convicted of not more than two felony
5 offenses, none of which is a felony offense listed in Section 13.1
6 of Title 21 of the Oklahoma Statutes or any offense that would
7 require the person to register pursuant to the provisions of the Sex
8 Offenders Registration Act, no felony or misdemeanor charges are
9 pending against the person, and at least ten (10) years have passed
10 since the completion of the sentence for the felony conviction;

11 14. The person was charged with not more than two felony
12 offenses and the charges were dismissed following the successful
13 completion of a deferred judgment or delayed sentence, none of which
14 were felony offenses listed in Section 13.1 of Title 21 of the
15 Oklahoma Statutes or would require the person to register pursuant
16 to the provisions of the Sex Offenders Registration Act, no felony
17 or misdemeanor charges are pending against the person, and at least
18 ten (10) years have passed since the charges were dismissed;

19 15. The person has been charged or arrested or is the subject
20 of an arrest warrant for a crime that was committed by another
21 person who has appropriated or used the person's name or other
22 identification without the person's consent or authorization; or

23 ~~15.~~ 16. The person was convicted of a nonviolent felony offense
24 not listed in Section 571 of Title 57 of the Oklahoma Statutes which

1 was subsequently reclassified as a misdemeanor under Oklahoma law,
2 the person is not currently serving a sentence for a crime in this
3 state or another state, at least thirty (30) days have passed since
4 the completion or commutation of the sentence for the crime that was
5 reclassified as a misdemeanor, any restitution ordered by the court
6 to be paid by the person has been satisfied in full, and any
7 treatment program ordered by the court has been successfully
8 completed by the person, including any person who failed a treatment
9 program which resulted in an accelerated or revoked sentence that
10 has since been successfully completed by the person or the person
11 can show successful completion of a treatment program at a later
12 date. Persons seeking an expungement of records under the
13 provisions of this paragraph may utilize the expungement forms
14 provided in Section 18a of this title.

15 B. For purposes of Section 18 et seq. of this title:

16 ~~1. "Expungement"~~, "expungement" means the sealing of criminal
17 records, as well as any public civil record, involving actions
18 brought by and against the State of Oklahoma arising from the same
19 arrest, transaction or occurrence. A fully sealed expunged record
20 shall not be available to the public or to law enforcement. Such
21 records may be retained in the state criminal history repository but
22 shall only be accessible to designated employees of the Oklahoma
23 State Bureau of Investigation for research and statistical purposes.
24 A partially sealed expunged record shall not be available to the

1 public but shall be available to law enforcement agencies for law
2 enforcement purposes; and

3 ~~2. "Single source record" means a criminal history record from
4 this state that consists of an Oklahoma arrest record only. A
5 single source record shall not contain any arrest from another
6 state, a federal arrest, or an entry into the National Sex Offender
7 Registry or a National Crime Information Center (NCIC)
8 wanted/warrant entry.~~

9 C. ~~Beginning three (3) years after November 1, 2022, and
10 subject to the availability of funds, individuals with clean slate
11 eligible arrest records shall be eligible to have their arrest
12 records sealed automatically. For purposes of Section 18 et seq. of
13 this title, "clean slate eligible arrest record" shall mean an
14 arrest record where each charge within the record meets one of the
15 following criteria:~~

16 ~~1. Records described in paragraph 1, 2, 3, 4, 5, 6, 14 or 15 of
17 subsection A of this section;~~

18 ~~2. Records described in paragraph 7 of subsection A of this
19 section where the prosecuting agency has declined to file charges
20 and the record is an Oklahoma single source record; or~~

21 ~~3. Records described in paragraph 8, 10, or 11 of subsection A
22 of this section where the record is an Oklahoma single source
23 record.~~

24

1 ~~D.~~ For purposes of seeking an expungement under the provisions
2 of paragraph 10, 11, 12 or 13 of subsection A of this section,
3 offenses arising out of the same transaction or occurrence shall be
4 treated as one conviction and offense.

5 ~~E.~~ D. Records expunged ~~pursuant~~ as a result of a petition filed
6 and subsequently ordered by the court to paragraphs 4, 8, 9, 10, 11,
7 12, 13, 14, ~~and~~ 15, and 16 of subsection A of this section shall be
8 partially sealed so that such records are not available to the
9 public but remain available to law enforcement agencies for law
10 enforcement purposes. Records expunged pursuant to paragraphs 1, 2,
11 3, 5, 6, or 7 of subsection A of this section shall be sealed and
12 not available to the public or to law enforcement; provided,
13 however, such records may be used by the Statistical Analysis Center
14 of the Oklahoma State Bureau of Investigation for research purposes.
15 Records expunged pursuant to paragraphs 8, 9, 10, 11, 12, ~~and~~ 13,
16 and 14 of subsection A of this section shall be admissible in any
17 subsequent criminal prosecution to prove the existence of a prior
18 conviction or prior deferred judgment without the necessity of a
19 court order requesting the unsealing of the records. Records
20 expunged pursuant to paragraph 4, 6, 12, or 13 of subsection A of
21 this section may also include the sealing of Pardon and Parole Board
22 records related to an application for a pardon. Such records shall
23 be sealed to the public but not to the Pardon and Parole Board.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 18b of Title 22, unless there is
3 created a duplication in numbering, reads as follows:

4 A. For purposes of this section and Section 4 of this act:

5 1. "Clean slate eligible record" means a record arising on or
6 after January 1, 1980, where each offense listed within the record
7 meets one of the following criteria:

8 a. records described in paragraph 1, 2, 3, 4, 6, or 15 of
9 subsection A of Section 18 of Title 22 of the Oklahoma
10 Statutes,

11 b. records described in paragraph 5 of subsection A of
12 Section 18 of Title 22 of the Oklahoma Statutes where
13 the prosecuting agency has declined to file charges
14 and the record is an Oklahoma single-source record,

15 c. records described in paragraphs 7 or 8 of subsection A
16 of Section 18 of Title 22 of the Oklahoma Statutes
17 where the record is an Oklahoma single-source record,

18 d. the person was convicted of a felony offense pursuant
19 to paragraph 1 of subsection A of Section 2-402 of
20 Title 63 of the Oklahoma Statutes, the person is not
21 currently serving a sentence for a crime in this
22 state, at least five (5) years have passed since the
23 end of the last felony or misdemeanor sentence, and
24 the record is a single-source record, or

1 e. the person was convicted of a misdemeanor offense, the
2 person has not been convicted of a felony, no felony
3 or misdemeanor charges are pending against the person,
4 five(5) years have passed since the end of the last
5 misdemeanor sentence, and the record is a single-
6 source record;

7 2. "Expungement" means the sealing of criminal records, as well
8 as any public civil record, involving actions brought by and against
9 the State of Oklahoma arising from the same arrest, transaction or
10 occurrence, including court records. A fully sealed expunged record
11 shall not be available to the public or to law enforcement. Such
12 records may be retained in the state criminal history repository but
13 shall only be accessible to designated employees of the Oklahoma
14 State Bureau of Investigation for research and statistical purposes.
15 A partially sealed expunged record shall not be available to the
16 public but shall be available to law enforcement agencies for law
17 enforcement purposes; and

18 3. "Single-source record" means a criminal history record from
19 this state that consists of an Oklahoma arrest record only. A
20 single-source record shall not contain any arrest from another
21 state, a federal arrest, or an entry into the National Sex Offender
22 Registry or a National Crime Information Center (NCIC)
23 wanted/warrant entry.
24

1 B. Beginning on the effective date of this act and subject to
2 the availability of funds, individuals with clean slate eligible
3 records shall be eligible to have their records sealed without
4 filing a court petition.

5 C. For purposes of determining if the waiting periods set forth
6 in paragraph 1 of subsection A of this section have been met, the
7 Oklahoma State Bureau of Investigation shall only consider records
8 in its possession and shall deem sentences to have ended based on
9 the imposed sentence length information in its possession.

10 D. Records expunged pursuant to this section shall be partially
11 sealed so that such records are not available to the public but
12 remain available to law enforcement agencies for law enforcement
13 purposes.

14 E. Records expunged pursuant to this section shall be
15 admissible in any subsequent criminal prosecution to prove the
16 existence of a prior conviction or prior deferred judgment without
17 the necessity of a court order requesting the unsealing of the
18 records. Records expunged pursuant to paragraph 4 of subsection A
19 of Section 18 of Title 22 of the Oklahoma Statutes may also include
20 the sealing of Pardon and Parole Board records related to an
21 application for a pardon. Such records shall be sealed to the
22 public but not to the Pardon and Parole Board.

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1 SECTION 3. AMENDATORY 22 O.S. 2021, Section 19, as last
2 amended by Section 1, Chapter 292, O.S.L. 2025 (22 O.S. Supp. 2025,
3 Section 19), is amended to read as follows:

4 Section 19. A. Any person qualified under Section 18 of this
5 title may petition the district court of the district in which the
6 arrest information pertaining to the person is located for the
7 sealing of all or any part of the record, including court records,
8 except basic identification information.

9 ~~B. The process for the automatic expungement of a clean slate~~
10 ~~eligible arrest record as defined in subsection C of Section 18 of~~
11 ~~this title is as follows:~~

12 ~~1. On a monthly basis, the Oklahoma State Bureau of~~
13 ~~Investigation shall identify arrest records which are clean slate~~
14 ~~eligible by conducting a search of the criminal history repository~~
15 ~~records of the Bureau;~~

16 ~~2. The Bureau shall, on a monthly basis, provide a list of~~
17 ~~clean slate eligible arrest records to the prosecuting agency and~~
18 ~~the arresting agency;~~

19 ~~3. The prosecuting agency, arresting agency, and the Bureau~~
20 ~~may, no later than forty-five (45) days from the day on which the~~
21 ~~notice described in paragraph 2 of this subsection is transmitted,~~
22 ~~object to an automatic expungement and such objection shall be~~
23 ~~transmitted to all parties. An objection may be made for any of the~~
24 ~~following reasons:~~

- 1 ~~a. after reviewing the agency record, the agency believes~~
2 ~~the arrest record does not meet the definition of a~~
3 ~~clean slate eligible arrest record,~~
- 4 ~~b. the individual has not paid court ordered restitution~~
5 ~~to the victim, or~~
- 6 ~~c. the agency has a reasonable belief, grounded in~~
7 ~~supporting facts, that an individual with a clean~~
8 ~~slate eligible arrest record is continuing to engage~~
9 ~~in criminal activity, whether charged or not charged,~~
10 ~~within or outside the state;~~

11 ~~4. If an agency identified in paragraph 3 of this subsection~~
12 ~~objects for a reason described in paragraph 3 of this subsection~~
13 ~~within forty-five (45) days of the day on which the notice described~~
14 ~~in paragraph 2 of this subsection is transmitted, the record shall~~
15 ~~not be expunged. Once a year, the Bureau shall electronically~~
16 ~~submit a report to the Legislature with a list of all cases where a~~
17 ~~record was not expunged pursuant to this paragraph; and~~

18 ~~5. After forty-five (45) days pass from the day on which the~~
19 ~~notice described in paragraph 2 of this subsection is sent, the~~
20 ~~Bureau shall provide to the courts a list of all cases where~~
21 ~~responses from all parties were received and no parties objected.~~
22 ~~The court shall review this list and provide to all agencies that~~
23 ~~have criminal history records a signed expungement order for all~~

1 ~~cases approved. Upon receipt of a signed expungement order, each~~
2 ~~agency shall seal the relevant records.~~

3 ~~The Bureau and the Supreme Court may promulgate rules to govern~~
4 ~~the process for automatic expungement of records for a clean slate~~
5 ~~eligible arrest record in accordance with this subsection.~~

6 ~~C. 1. Nothing in this section precludes an individual from~~
7 ~~filing a petition for expungement of records that are eligible for~~
8 ~~automatic expungement under subsection C of Section 18 of this title~~
9 ~~if an automatic expungement has not occurred pursuant to subsection~~
10 ~~B of this section.~~

11 ~~2. An individual does not have a cause of action for damages as~~
12 ~~a result of the failure of the Bureau to identify an arrest record~~
13 ~~as eligible for automatic expungement.~~

14 ~~D. An automatic expungement granted under subsection B of this~~
15 ~~section does not preclude an individual from requesting the~~
16 ~~unsealing of records in accordance with subsection P of this~~
17 ~~section.~~

18 ~~E. Upon the filing of a petition or entering of a court order~~
19 ~~as prescribed in subsection A of this section, the court shall set a~~
20 ~~date for a hearing and shall provide thirty (30) days of notice of~~
21 ~~the hearing to the prosecuting agency, the arresting agency, the~~
22 ~~Oklahoma State Bureau of Investigation, and any other person or~~
23 ~~agency whom the court has reason to believe may have relevant~~
24 ~~information related to the sealing of such record.~~

1 ~~F.~~ C. If a petitioner requests expungement for multiple
2 offenses in one county, each of which would qualify for expungement
3 if processed sequentially, the expungements may be considered under
4 a single petition. The petitioner shall not be required to submit
5 multiple petitions to accomplish the sequential sealing of multiple
6 offenses in a single county.

7 ~~G.~~ D. Upon a finding that the harm to privacy of the person in
8 interest or dangers of unwarranted adverse consequences outweigh the
9 public interest in retaining the records, the court may order such
10 records, or any part thereof except basic identification
11 information, to be sealed. If the court finds that neither sealing
12 of the records nor maintaining of the records unsealed by the agency
13 would serve the ends of justice, the court may enter an appropriate
14 order limiting access to such records.

15 Any order entered under this subsection shall specify those
16 agencies to which such order shall apply. Any order entered
17 pursuant to this subsection may be appealed by the petitioner, the
18 prosecuting agency, the arresting agency, or the Oklahoma State
19 Bureau of Investigation to the Supreme Court in accordance with the
20 rules of the Supreme Court. In all such appeals, the Oklahoma State
21 Bureau of Investigation is a necessary party and ~~must~~ shall be given
22 notice of the appellate proceedings.

23 ~~H.~~ E. Upon the entry of an order to seal the records, or any
24 part thereof, ~~or upon an automatic expungement described in~~

1 ~~subsection B of this section,~~ the subject official actions shall be
2 deemed never to have occurred, and the person in interest and all
3 criminal justice agencies may properly reply, upon any inquiry in
4 the matter, that no such action ever occurred and that no such
5 record exists with respect to such person.

6 ~~F.~~ F. Inspection of the records included in the order may
7 thereafter be permitted by the court only upon petition by the
8 person in interest who is the subject of such records, the Attorney
9 General, or by the prosecuting agency and only to those persons and
10 for such purposes named in such petition.

11 ~~G.~~ G. Employers, educational institutions, state and local
12 government agencies, officials, and employees shall not, in any
13 application or interview or otherwise, require an applicant to
14 disclose any information contained in sealed records. An applicant
15 need not, in answer to any question concerning arrest and criminal
16 records, provide information that has been sealed, including any
17 reference to or information concerning such sealed information and
18 may state that no such action has ever occurred. Such an
19 application may not be denied solely because of the refusal of the
20 applicant to disclose arrest and criminal records information that
21 has been sealed. The provisions of this subsection shall not apply
22 to any application submitted to the Oklahoma State Bureau of
23 Investigation for the purpose of obtaining a handgun license
24 pursuant to Section 1290.18 of Title 21 of the Oklahoma Statutes.

1 ~~K.~~ H. All arrest and criminal records information existing
2 prior to May 14, 1987, except basic identification information, is
3 also subject to sealing in accordance with subsection ~~G~~ D of this
4 section.

5 ~~L.~~ I. Nothing in this section shall be construed to authorize
6 the physical destruction of any criminal justice records.

7 ~~M.~~ J. For the purposes of this section, sealed materials which
8 are recorded in the same document as unsealed material may be
9 recorded in a separate document, and sealed, then obliterated in the
10 original document.

11 ~~N.~~ K. For the purposes of this section, district court index
12 reference of sealed material shall be destroyed, removed, or
13 obliterated.

14 ~~O.~~ L. Any record ordered to be sealed pursuant to this section,
15 if not unsealed within ten (10) years of the expungement order, may
16 be obliterated or destroyed at the end of the ten-year period.

17 ~~P.~~ M. Subsequent to records being sealed as provided ~~herein~~ in
18 this section, the prosecuting agency, the arresting agency, the
19 Oklahoma State Bureau of Investigation, or other interested person
20 or agency may petition the court for an order unsealing such
21 records. Upon filing of a petition, the court shall set a date for
22 hearing, which hearing may be closed at the discretion of the court,
23 and shall provide thirty (30) days of notice to all interested
24 parties. If, upon hearing, the court determines that there has been

1 a change of conditions or that there is a compelling reason to
2 unseal the records, the court may order all or a portion of the
3 records unsealed.

4 ~~Q.~~ N. Nothing ~~herein shall~~ in this section shall be construed
5 to prohibit the introduction of evidence regarding actions sealed
6 pursuant to the provisions of this section at any hearing or trial
7 for purposes of impeaching the credibility of a witness or as
8 evidence of character testimony pursuant to Section 2608 of Title 12
9 of the Oklahoma Statutes.

10 ~~R.~~ O. If a person qualifies for an expungement under the
11 provisions of paragraph 3 of subsection A of Section 18 of this
12 title and the petition for expungement is granted by the court, the
13 court shall order the reimbursement of all filing fees and court
14 costs incurred by the petitioner as a result of filing the
15 expungement request.

16 ~~S.~~ P. If a person qualifies for an expungement under the
17 provisions of paragraph 3 or 4 of subsection A of Section 18 of this
18 title, the person may request a hearing be set within thirty (30)
19 days after the date of filing the petition for expungement. The
20 court shall grant the request for the hearing and shall provide a
21 notice of no ~~less~~ fewer than ten (10) days for ~~said~~ the hearing to
22 the prosecuting agency, the arresting agency, the Oklahoma State
23 Bureau of Investigation, and any other person or agency whom the
24 court has reason to believe may have relevant information related to

1 the sealing of such record. Any order entered pursuant to the
2 provisions of this subsection shall be subject to the provisions of
3 subsections ~~F~~ C through ~~P~~ M of this section.

4 ~~F~~ Q. Any offense that has been expunged shall not be treated
5 as a prior offense in determining whether another offense qualifies
6 for an expungement under Section 18 of this title.

7 SECTION 4. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 19d of Title 22, unless there is
9 created a duplication in numbering, reads as follows:

10 A. By November 1, 2026, the Oklahoma State Bureau of
11 Investigation shall establish and maintain a publicly accessible
12 online portal for individuals to submit an expedited expungement
13 request for clean slate eligible records as defined in Section 2 of
14 this act, or records eligible under paragraph 16 of Section 18 of
15 Title 22.

16 B. An expedited expungement request submitted through the
17 portal shall only require the individual to provide sufficient
18 personal identification information to allow the Bureau to locate
19 the relevant criminal history record and contact information,
20 including an electronic mail address or phone number, for
21 notification purposes.

22 C. The following steps shall be used to review and approve or
23 deny expedited expungement requests:

24

1 1. Upon receipt of an expedited expungement request, the Bureau
2 shall review the associated criminal history record to determine if
3 it meets the criteria for an expedited expungement request pursuant
4 to this subsection;

5 2. If the record is determined to be eligible based on a review
6 of Bureau records, the Bureau shall solicit a review by the
7 appropriate arresting and prosecuting agencies;

8 3. Upon confirmation of eligibility based upon the review of
9 both arresting and prosecuting agency records, the Bureau shall send
10 a request to the appropriate district court for consideration;

11 4. If expungement is approved by the court, the court shall
12 provide an order for expungement to the Bureau and any other record-
13 holding agency;

14 5. If the record is determined not to be eligible by any party,
15 the Bureau shall provide a written or electronic notice of rejection
16 to the individual, clearly stating the reason or reasons for
17 rejection; and

18 6. Upon sealing a record pursuant to this subsection, the
19 Bureau shall notify the individual, via the contact information
20 provided in the request, that the record has been sealed by the
21 Bureau and the courts.

22 D. On or before November 1, 2027, the Bureau shall begin
23 implementing the automatic process to identify and submit clean
24 slate eligible records for sealing without receiving a request. All

1 electronic records that are eligible for expungement through the
2 automated clean slate process on or after November 1, 2027, shall be
3 identified and expunged through the automated clean slate process
4 before November 1, 2029, in accordance with a schedule to be
5 determined by the Bureau. Beginning in 2027, the Bureau shall
6 publish and electronically submit to the Legislature an annual
7 report that contains statistical data of the number of records that
8 were identified and sealed pursuant to the expedited and automatic
9 processes.

10 E. The automated process described in subsection D of this
11 section shall be as follows:

12 1. On a monthly basis, the Oklahoma State Bureau of
13 Investigation shall identify records that are clean slate eligible
14 by conducting a search of the criminal history repository records of
15 the Bureau;

16 2. If the record is determined to be eligible pursuant to
17 Section 2 of this act based on a review of Bureau records, the
18 Bureau shall provide notice to be reviewed by the appropriate
19 arresting and prosecuting agencies;

20 3. The prosecuting agency, arresting agency, and the Bureau
21 may, no later than forty-five (45) days from the date on which the
22 notice described in paragraph 2 of this subsection is transmitted,
23 object to an automatic expungement. Such objection shall be
24

1 submitted in writing and transmitted to all parties. An objection
2 may be made for any of the following reasons:

- 3 a. after reviewing the agency record, the agency believes
4 the arrest record does not meet the definition of a
5 clean slate eligible arrest record,
- 6 b. the individual has not paid court-ordered restitution
7 to the victim, or
- 8 c. the agency has a reasonable belief, grounded in
9 supporting facts, that an individual with a clean
10 slate eligible arrest record is continuing to engage
11 in criminal activity, whether charged or not charged,
12 within or outside the state;

13 4. If an agency objects in accordance with the requirements of
14 paragraph 3 of this subsection, the record shall not be expunged;

15 5. If an agency does not object in accordance with the
16 requirements of paragraph 3 of this subsection, the objection shall
17 be waived, and the Bureau shall provide to the courts a list of all
18 cases where responses from all parties were received and no parties
19 objected. The court shall review such list, produce a signed
20 expungement order for all cases approved, and notify the Bureau.
21 The Bureau shall notify all agencies that have criminal history
22 records. Upon receipt of this notification, each agency shall
23 promptly seal the relevant records;

1 6. If an agency objects in accordance with the requirements of
2 paragraph 3 of this subsection, the Bureau shall provide to the
3 court a list of all cases with objections. The court may, in its
4 discretion, set the matter for hearing to consider any argument from
5 the objecting party as to why the applicable record does not qualify
6 for automatic expungement. The hearing shall be closed at the
7 request of the objecting party if there exists a reason to believe
8 the basis of the objection may impede or frustrate any ongoing
9 investigation. The court shall provide notice to the objecting
10 party of any hearing set in accordance with this section at least
11 thirty (30) days prior to the hearing. If the court finds that
12 there were insufficient grounds for the objection, the court may
13 order the applicable record expunged and provide notice to the
14 affected agencies to seal such records. The process for appeal of
15 any expungement order issued pursuant to this subsection shall be
16 the same as the process provided for in subsection D of Section 19
17 of Title 22 of the Oklahoma Statutes; and

18 7. The Bureau and the Supreme Court may promulgate rules to
19 govern the process for expungement of clean slate eligible records
20 in accordance with this subsection.

21 F. For purposes of this section, if expungement is approved,
22 the court shall provide an order for expungement to the Bureau and
23 any other record-holding agency. The court shall assign each order
24 a unique identification number for filing purposes. Orders pursuant

1 to this section shall begin with the prefix 'AE', identifying the
2 order with an automated or expedited expungement, followed by the
3 applicable year notification is received. Such record shall not be
4 a public record but shall be utilized for administrative purposes.
5 The courts shall transmit an electronic notification of any order
6 for expunged records to the Bureau or otherwise make such orders
7 available by secure electronic means. Upon receipt of a signed
8 expungement order, each agency shall seal the relevant records.

9 G. Nothing in this section precludes an individual from filing
10 a petition with the district court pursuant to Section 19 of Title
11 22 of the Oklahoma Statutes for expungement of clean slate eligible
12 records.

13 H. An individual shall not have a cause of action for damages
14 if the Bureau fails to identify an arrest record as eligible for
15 expungement pursuant to this section.

16 I. An expungement granted under this section does not preclude
17 an individual from requesting the unsealing of records in accordance
18 with subsection M of Section 19 of Title 22 of the Oklahoma
19 Statutes.

20 J. 1. Nothing in this section shall be construed to authorize
21 the physical destruction of any criminal justice records.

22 2. Nothing in this section shall be construed to prohibit the
23 introduction of evidence regarding actions sealed pursuant to the
24 provisions of this section at any hearing or trial.

1 K. The provisions and rights contained in subsections E, F, and
2 G of Section 18 of Title 22 of the Oklahoma Statutes shall apply to
3 records expunged pursuant to this section.

4 SECTION 5. REPEALER 22 O.S. 2021, Section 18, as last
5 amended by Section 12, Chapter 452, O.S.L. 2024 (22 O.S. Supp. 2025,
6 Section 18), is hereby repealed.

7 SECTION 6. This act shall become effective July 1, 2026.

8 SECTION 7. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

12 Passed the Senate the 25th day of March, 2026.

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14

Presiding Officer of the Senate

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16 Passed the House of Representatives the ____ day of _____,
17 2026.

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Presiding Officer of the House
of Representatives

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