

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3160

By: Hickman

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to court costs and fees; providing
9 for the reduction of court costs and fees in criminal
10 cases; providing statutory reference; prohibiting the
11 reduction of certain fees; stating guidelines for
12 reducing court costs and fees; requiring certain
13 documentation; requiring certain calculation and
14 application of reduction; directing the Department of
15 Corrections to implement policies and procedures;
16 granting courts authority to waive outstanding fines,
17 court costs and fees under certain circumstances;
18 prohibiting the waiver of certain fees; providing for
19 codification; and providing an effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 983a of Title 22, unless there
23 is created a duplication in numbering, reads as follows:

24 A. On or after November 1, 2016, any person who is currently
serving a term of imprisonment in the custody of the Department of
Corrections or is convicted of a crime and sentenced to serve a term
of imprisonment in the custody of the Department of Corrections
shall have the cumulative sum of all court costs and fees assessed

1 and owed in his or her criminal case or cases reduced by three
2 percent (3%) for every thirty (30) days of time served on the prison
3 sentence. As used in this act, court costs and fees shall include
4 court costs and fees provided for in Section 153 of Title 28 of the
5 Oklahoma Statutes.

6 B. The provisions of this section shall not apply to amounts
7 owed by the person for restitution to a victim pursuant to a court
8 order or child support obligations pursuant to a court order.

9 C. Immediately prior to release from a term of imprisonment
10 with the Department of Corrections, the Department shall include in
11 the portfolio of the inmate the following documentation:

12 1. The date of commencement on which the inmate began serving
13 his or her sentence;

14 2. The date of discharge from the custody of the Department of
15 Corrections;

16 3. Specific instructions directing the inmate to present the
17 documentation provided in paragraphs 1 and 2 of this subsection to
18 the court clerk of any county in which court costs and fees are
19 owed.

20 Upon receipt of the documentation listed above, the court clerk
21 shall calculate and apply the reduction in court costs and fees as
22 provided for in subsection A of this section.

23 D. The Department of Corrections shall implement policies and
24 procedures to implement the provisions of this section.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 983b of Title 22, unless there
3 is created a duplication in numbering, reads as follows:

4 A. On or after November 1, 2016, the court shall have the
5 authority to waive all outstanding fines, court costs and fees in a
6 criminal case for any person who:

7 1. Served a period of imprisonment in the custody of the
8 Department of Corrections after conviction for a crime;

9 2. Has been released from the custody of the Department of
10 Corrections;

11 3. Has complied with all probation or supervision requirements
12 since being released from the custody of the Department of
13 Corrections; and

14 4. Has made installment payments on outstanding fines, court
15 costs, fees and restitution ordered by the court on a timely basis
16 every month for the previous twenty-four (24) months following
17 release from the custody of the Department of Corrections.

18 B. The provisions of this section shall not apply to amounts
19 owed by the person for restitution to a victim pursuant to a court
20 order or child support obligations pursuant to a court order.

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

SECTION 3. This act shall become effective November 1, 2016.

55-2-9195 JM 02/18/16