

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3290

By: Humphrey

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5  
6 AS INTRODUCED

7 An Act relating to court costs; creating the Criminal  
8 Court Costs Modernization Council; stating duties and  
9 purpose of the Council; directing state and local  
10 entities to provide records and information to the  
11 Council; stating membership of the Council; requiring  
12 organizational meeting to be held by certain date;  
13 providing for the selection of a chair and vice-  
14 chair; providing meeting requirements; stating what  
15 constitutes a quorum; making meetings subject to the  
16 Oklahoma Open Meeting Act; providing for travel  
17 reimbursement; providing administrative support for  
18 the Council; directing the Council to submit report  
19 to certain state officials; providing for  
20 codification; and providing an effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 163 of Title 28, unless there is  
24 created a duplication in numbering, reads as follows:

A. There is hereby created the Criminal Court Costs  
Modernization Council, hereinafter referred to as the "Council".

The Council shall:

1. Identify all criminal- and traffic-related, court-ordered  
fees, fines, costs, and assessments imposed under law;

1           2. Identify the distribution of revenue derived from those  
2 debts and the expenditures made by those entities that benefit from  
3 the revenues;

4           3. Consult with state, county, and municipal entities that  
5 would be affected by a simplification and consolidation of criminal  
6 and traffic-related, court-ordered debts;

7           4. Evaluate and make recommendations to the Oklahoma  
8 Legislature for consolidating and simplifying the imposition of  
9 criminal- and traffic-related, court-ordered debts and the  
10 distribution of the revenue derived from those debts with the goal  
11 of improving the process for those entities that benefit from the  
12 revenues;

13           5. Document recent annual revenues from the various penalty  
14 assessments and, to the extent feasible, evaluate the extent to  
15 which the amount of each penalty assessment impacts total annual  
16 revenues, imposition of criminal sentences, and the actual amounts  
17 assessed; and

18           6. Evaluate and make recommendations to the Oklahoma  
19 Legislature to eliminate certain court-ordered costs and fees  
20 assessed in criminal cases that are not related to the supervision  
21 of defendants, court functions, criminal investigations, or data  
22 collection expenses.

23           B. The recommendations of the Council shall be intended to  
24 modernize the collection of court costs in the State of Oklahoma.

1 Each department, agency, board, or authority of the state or any  
2 unit of local government shall provide records and other information  
3 to the Council as requested by the Council to carry out its duties;  
4 provided, however, the Council and the provider of such information  
5 shall make appropriate arrangements to ensure that the provision of  
6 such information to the Council does not violate any applicable  
7 laws.

8 C. The Council shall be comprised of twelve (12) members to be  
9 selected as follows:

10 1. The Administrative Director of the Courts, or designee;

11 2. A district attorney for a county or district with a  
12 population of five hundred thousand (500,000) or more as determined  
13 by the latest Federal Decennial Census, to be selected by the  
14 District Attorneys Council, or designee;

15 3. A district attorney for a county or district with a  
16 population of five hundred thousand (500,000) or less as determined  
17 by the latest Federal Decennial Census, to be selected by the  
18 District Attorneys Council, or designee;

19 4. A chief of police of a municipality with a population of  
20 three hundred fifty thousand (350,000) or more as determined by the  
21 latest Federal Decennial Census, to be selected by the Oklahoma  
22 Association of Chiefs of Police, or designee;

23 5. A chief of police of a municipality with a population of  
24 three hundred fifty thousand (350,000) or less as determined by the

1 latest Federal Decennial Census, to be selected by the Oklahoma  
2 Association of Chiefs of Police, or designee;

3 6. A sheriff of a county with a population of fifty thousand  
4 (50,000) or more as determined by the latest Federal Decennial  
5 Census, to be selected by the Oklahoma Sheriffs' Association, or  
6 designee;

7 7. A sheriff of a county with a population of fifty thousand  
8 (50,000) or less as determined by the latest Federal Decennial  
9 Census, to be selected by the Oklahoma Sheriffs' Association, or  
10 designee;

11 8. The Director of the State Department of Corrections, or  
12 designee;

13 9. A public defender of a county with a population of three  
14 hundred fifty thousand (350,000) or more as determined by the latest  
15 Federal Decennial Census, to be selected by the Administrative  
16 Director of the Courts, or designee;

17 10. The Executive Director of the Pardon and Parole Board, or  
18 designee;

19 11. The President Pro Tempore of the Oklahoma State Senate, or  
20 designee; and

21 12. The Speaker of the Oklahoma House of Representatives, or  
22 designee.

23 D. The Council shall hold an organizational meeting not later  
24 than December 1, 2022, and shall select from its membership a chair

1 and vice-chair. The Council shall elect any other officers during  
2 the first meeting and upon a vacancy in any office.

3 E. The chair shall call the first meeting and all subsequent  
4 meetings shall be made at the call of the chair. The Council may  
5 meet as often as may be required in order to perform the duties  
6 imposed upon it.

7 F. A quorum of the Council shall be required to approve any  
8 final action and recommendation of the Council. For purposes of  
9 this section, seven members of the Council shall constitute a  
10 quorum.

11 G. The meetings of the Council shall be subject to the Oklahoma  
12 Open Meeting Act.

13 H. The members of the Council shall receive no compensation,  
14 but travel reimbursement may be provided by their respective  
15 organizations within the limits provided for state employees in the  
16 Oklahoma State Travel Reimbursement Act.

17 I. Administrative support for the Council shall be provided by  
18 the Administrative Office of the Courts.

19 J. The Council shall submit a report of its findings and  
20 recommendations annually by December 31, 2023, and the same day each  
21 year thereafter to the Governor, the President Pro Tempore of the  
22 Oklahoma State Senate, and the Speaker of the Oklahoma House of  
23 Representatives.

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SECTION 2. This act shall become effective November 1, 2022.

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