

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1411

By: Thompson

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5  
6 AS INTRODUCED

7 An Act relating to fees; amending 22 O.S. 2011,  
8 Section 1355.14, which relates to payment of costs of  
9 representation; directing certain deposit of fees;  
10 updating statutory language; providing an effective  
11 date; and declaring an emergency.

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

13 SECTION 1. AMENDATORY 22 O.S. 2011, Section 1355.14, is  
14 amended to read as follows:

15 Section 1355.14. A. At the time of pronouncing the judgment  
16 and sentence or other final order, the court shall order any person  
17 represented by an attorney employed by the Oklahoma Indigent Defense  
18 System or a defense attorney who contracts or volunteers to  
19 represent indigents pursuant to the provisions of the Indigent  
20 Defense Act to pay the costs for representation in total or in  
21 installments and, in the case of installment payments, set the  
22 amount and due date of each installment.

23 B. Costs assessed pursuant to this section shall be collected  
24 by the court clerk and when collected ~~paid~~ deposited monthly to the

1 ~~Oklahoma Indigent Defense System for deposit to the Indigent Defense~~  
2 ~~System Revolving Fund~~ General Revenue of the State Treasury.

3 C. Costs of representation shall be a debt against the person  
4 represented until paid and shall be subject to any method provided  
5 by law for the collection of debts.

6 D. Any order directing the defendant to pay costs of  
7 representation shall be a lien against all real and personal  
8 property of the defendant and may be filed against such property and  
9 foreclosed as provided by law for civil liens.

10 E. The court shall assess the following fees as the cost of  
11 representation:

- 12 1. For any misdemeanor case in which a plea  
13 of guilty or stipulation to revocation or  
14 imposition of sentence has been entered.....\$150.00
- 15 2. For any felony case in which a plea of  
16 guilty or stipulation to revocation or  
17 imposition of sentence has been entered.....\$250.00
- 18 3. For any misdemeanor case tried to a jury.....\$500.00
- 19 4. For any felony case tried to a jury.....\$1,000.00
- 20 5. For any merit hearing on an application  
21 to revoke a suspended sentence or  
22 accelerate a deferred sentence in a  
23 misdemeanor case.....\$200.00

1 6. For any merit hearing on an application  
2 to revoke a suspended sentence or  
3 accelerate a deferred sentence in a  
4 felony case.....\$300.00

5 The fees shall be assessed unless ordered waived upon good cause  
6 shown by the indigent person, or unless another amount is  
7 specifically requested by counsel for the indigent person and is  
8 approved by the court. In cases or proceedings other than those set  
9 forth in paragraphs 1 through 6 of this subsection, the court shall  
10 assess the cost of representation not to exceed Two Hundred Fifty  
11 Dollars (\$250.00), except upon a showing by counsel of the actual  
12 costs or representation in excess of ~~said~~ the amount.

13 SECTION 2. This act shall become effective July 1, 2020.

14 SECTION 3. It being immediately necessary for the preservation  
15 of the public peace, health or safety, an emergency is hereby  
16 declared to exist, by reason whereof this act shall take effect and  
17 be in full force from and after its passage and approval.

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