

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3160

By: Hickman

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9 COMMITTEE SUBSTITUTE

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

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

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

A. On or after November 1, 2016, any person who is currently
serving a term of imprisonment in the custody of the Department of

1 Corrections or is convicted of a crime and sentenced to serve a term
2 of imprisonment in the custody of the Department of Corrections
3 shall have the cumulative sum of all court costs and fees assessed
4 and owed in his or her criminal case or cases reduced by three
5 percent (3%) for every thirty (30) days of time served on the prison
6 sentence. As used in this act, court costs and fees shall include
7 court costs and fees provided for in Section 153 of Title 28 of the
8 Oklahoma Statutes.

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

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

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

17 2. The date of discharge from the custody of the Department of
18 Corrections;

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

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

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

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

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

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

14 2. Has been released from the custody of the Department of
15 Corrections;

16 3. Has complied with all probation or supervision requirements
17 since being released from the custody of the Department of
18 Corrections; and

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

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

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

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6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
7 02/18/2016 - DO PASS, As Amended.
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