

1 ENGROSSED SENATE AMENDMENT  
TO

2 ENGROSSED HOUSE  
3 BILL NO. 3160

By: Hickman, Sherrer and Hoskin  
of the House

4 and

5 Griffin of the Senate

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7  
8 [ court costs and fees - providing for the reduction  
9 of court costs and fees in criminal cases -  
10 directing the Department of Corrections to implement  
11 policies and procedures - effective date ]

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AUTHOR: Add the following Senate Coauthor: Brooks

AMENDMENT NO. 1. Page 1, strike the enacting clause



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

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

19 A. On or after November 1, 2016, any person who is currently  
20 serving a term of imprisonment in the custody of the Department of  
21 Corrections or is convicted of a crime and sentenced to serve a term  
22 of imprisonment in the custody of the Department of Corrections  
23 shall have the cumulative sum of all court costs and fees assessed  
24 and owed in his or her criminal case or cases reduced by seventy-

1 five hundredths percent (0.75%) for every thirty (30) days of time  
2 served on the prison sentence. As used in this act, court costs and  
3 fees shall include court costs and fees provided for in Section 153  
4 of Title 28 of the Oklahoma Statutes.

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

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

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

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

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

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

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

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

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1       A. Any person released on parole or released without parole  
2 from a term of imprisonment with the Department of Corrections shall  
3 be required to report at a time not less than one hundred eighty  
4 (180) days after his or her release from the Department of  
5 Corrections to:

6       1. The district court of the county from which the judgment and  
7 sentence resulting in incarceration arose; and

8       2. All other district courts or municipal courts where the  
9 person owes fines, fees, costs and assessments,  
10 for the purpose of scheduling a hearing to determine the ability of  
11 the person to pay fines, fees, costs or assessments owed by the  
12 person in every felony or misdemeanor criminal case filed in a  
13 district court or criminal case filed in a municipal court of this  
14 state. Such hearing shall be held in accordance with the provisions  
15 of Section VIII of the Rules of the Court of Criminal Appeals, 22  
16 O.S. 2011, Ch. 18, App. A court may for good cause shown or in its  
17 discretion continue such hearing for up to one hundred eighty (180)  
18 days.

19       B. In determining the ability of the person to satisfy fines,  
20 fees, costs or assessments owed to a district or municipal court,  
21 the court shall inquire of the person at the time of the hearing  
22 which counties and municipalities the person owes fines, fees, costs  
23 or assessments in every felony or misdemeanor criminal case filed  
24 against the person and shall consider all court-ordered debt,

1 including restitution and child support, in determining the ability  
2 of the person to pay. The person shall not be required to pay any  
3 outstanding fines, fees, costs or assessments prior to the  
4 expiration of the one-hundred-eighty-day period; provided, however,  
5 the person shall not be precluded from voluntarily making payment  
6 toward the satisfaction of any fines, fees, costs or assessments due  
7 and owing to a district or municipal court of this state.

8 C. The Court of Criminal Appeals shall promulgate rules  
9 governing the provisions of this section including, but not limited  
10 to:

11 1. Reporting, hearing and payment requirements as provided for  
12 in subsections A and B of this section;

13 2. Consolidating district and municipal court fines, fees,  
14 costs or assessments owed by a person into one order for payment;  
15 and

16 3. Accepting and distributing payments received for fines,  
17 fees, costs or assessments to various district and municipal courts  
18 when consolidated by the court into one order for payment.

19 SECTION 4. This act shall become effective November 1, 2016.  
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1 Passed the House of Representatives the 10th day of March, 2016.

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4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2016.

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9 Presiding Officer of the Senate