

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 203

By: Young

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5
6 AS INTRODUCED

7 An Act relating to nonpayment of court costs and
8 fines; amending 22 O.S. 2011, Section 983, as amended
9 by Section 2, Chapter 128, O.S.L. 2018 (22 O.S. Supp.
10 2018, Section 983), which relates to failure to pay
11 fines and costs in criminal cases; prohibiting
12 imprisonment for nonpayment of certain debt;
13 authorizing issuance of bench warrants for contempt
14 of court; deleting authority of trial court to
15 convert certain sentences into jail sentences;
16 providing time limitation for certain hearings;
17 deleting certain notification requirements; and
18 providing an effective date.

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

20 SECTION 1. AMENDATORY 22 O.S. 2011, Section 983, as
21 amended by Section 2, Chapter 128, O.S.L. 2018 (22 O.S. Supp. 2018,
22 Section 983), is amended to read as follows:

23 Section 983. A. ~~Any~~ No defendant found guilty of an offense in
24 any court of this state ~~may~~ shall be imprisoned for nonpayment of
25 ~~the debt, including a fine, cost, fee, or assessment; provided,~~
26 however, the trial court may issue a bench warrant for contempt of
27 court when the trial court finds after notice and hearing that the
28 defendant is financially able but refuses or neglects to pay the

1 fine, cost, fee, or assessment. ~~A sentence to pay a fine, cost,~~
2 ~~fee, or assessment may be converted into a jail sentence only after~~
3 ~~a hearing and a judicial determination, memorialized of record, that~~
4 ~~the defendant is able to satisfy the fine, cost, fee, or assessment~~
5 ~~by payment, but refuses or neglects so to do.~~

6 B. After a judicial determination that the defendant is able to
7 pay the fine, cost, fee, or assessment in installments, the court
8 may order the fine, cost, fee, or assessment to be paid in
9 installments and shall set the amount and date for each installment.
10 If a defendant is arrested for contempt of court pursuant to
11 subsection A of this section, the hearing shall be held within
12 twenty-four (24) hours after the defendant has been arrested,
13 excluding weekends and legal holidays.

14 C. ~~In addition, the district court or municipal court, within~~
15 ~~one hundred twenty (120) days from the date upon which the person~~
16 ~~was originally ordered to make payment, may send notice of~~
17 ~~nonpayment of any court ordered fine and costs for a moving traffic~~
18 ~~violation to the Department of Public Safety with a recommendation~~
19 ~~of suspension of driving privileges of the defendant until the total~~
20 ~~amount of any fine and costs has been paid. Upon receipt of payment~~
21 ~~of the total amount of the fine and costs for the moving traffic~~
22 ~~violation, the court shall send notice thereof to the Department, if~~
23 ~~a nonpayment notice was sent as provided for in this subsection.~~

1 ~~Notices sent to the Department shall be on forms or by a method~~
2 ~~approved by the Department.~~

3 ~~D.~~ The Court of Criminal Appeals shall implement procedures and
4 rules for methods of establishing payment plans of fines, costs,
5 fees, and assessments by indigents, which procedures and rules shall
6 be distributed to all district courts and municipal courts by the
7 Administrative Office of the Courts.

8 SECTION 2. This act shall become effective November 1, 2019.

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