

1 ENGROSSED SENATE
2 BILL NO. 340

By: Holt and Matthews of the
Senate

3 and

4 Hall of the House

5
6 An Act relating to fines and costs; amending 11 O.S.
7 2011, Section 28-124, which relates to imprisonment
8 for nonpayment of fines; allowing certain discretion
9 for repayment of fines and costs; and providing an
10 effective date.

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

12 SECTION 1. AMENDATORY 11 O.S. 2011, Section 28-124, is
13 amended to read as follows:

14 Section 28-124. Any person who shall be convicted in the
15 municipal criminal court of record of a violation of any ordinance
16 of the city and sentenced to pay a fine and costs, who is
17 financially able but refuses or neglects to pay such fine and costs,
18 shall be imprisoned in the jail, farm or workhouse of the city, in
19 the discretion of the court, for one (1) day for each Twenty-five
20 Dollars (\$25.00) of the fine and cost assessed or one (1) day for
21 each Fifty Dollars (\$50.00) of the fine and cost assessed if the
22 person performs useful labor. If the defendant is without means to
23 pay the fine or costs, the municipal judge may direct the total
24 amount due to be entered upon the court minutes and to be certified

1 to the district court in the county where the situs of the municipal
2 government is located where it shall be entered upon the district
3 court judgment docket and shall have the full force and effect of a
4 district court judgment. Thereupon, the same remedies shall be
5 available for the enforcement of the judgment as are available to
6 any other judgment creditor. Further, if the defendant is without
7 means to pay the fine or costs, and no undue hardship would result,
8 the municipal judge may direct the defendant to perform community
9 service at a rate of not less than the current federal minimum wage.

10 SECTION 2. This act shall become effective November 1, 2017.

11 Passed the Senate the 20th day of February, 2017.

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14 Presiding Officer of the Senate

15 Passed the House of Representatives the ____ day of _____,
16 2017.

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19 Presiding Officer of the House
20 of Representatives
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