

ENROLLED HOUSE
BILL NO. 1016

By: Steidley of the House

and

Smith of the Senate

An Act relating to cities and towns; amending 11 O.S. 1991, Sections 27-117.1 and 28-114.1, which relate to courts; modifying maximum amount of bail for certain traffic offenses to include costs; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 1991, Section 27-117.1, is amended to read as follows:

Section 27-117.1 If a resident or nonresident of a municipality having a municipal court is arrested by a law enforcement officer solely for a misdemeanor violation of a traffic ordinance, other than an ordinance pertaining to a parking or standing traffic violation, and the arrested person is eligible to sign a written promise to appear and be released upon personal recognizance as provided for in Section ~~2~~ 1115.1 of ~~this act~~ Title 22 of the Oklahoma Statutes, then the procedures provided for in the State and Municipal Traffic Bail Bond Procedure Act as applied to municipalities, shall govern. A municipality, by ordinance, may prescribe a bail bond schedule for this purpose and may provide for bail to be used as payment of the fine and costs upon a plea of guilty or nolo contendere, as provided for in Section ~~2~~ 1115.1 of ~~this act~~ Title 22 of the Oklahoma Statutes. Absent such ordinance, the municipal court may prescribe a bail bond schedule for traffic offenses. The amount of bail shall not exceed the maximum fine and costs provided by ordinance for each offense.

SECTION 2. AMENDATORY 11 O.S. 1991, Section 28-114.1, is amended to read as follows:

Section 28-114.1 If a resident or nonresident of a municipality served by a municipal court is arrested by a law enforcement officer solely for a misdemeanor violation of a traffic ordinance, other than an ordinance pertaining to a parking or standing traffic violation, and the arrested person is eligible to sign a written promise to appear and be released upon personal recognizance as provided for in Section ~~2~~ 1115.1 of ~~this act~~ Title 22 of the Oklahoma Statutes, then the procedures provided for in the State and Municipal Traffic Bail Bond Procedure Act as applied to municipalities, shall govern. A municipality, by ordinance, may prescribe a bail bond schedule for this purpose and may provide for bail to be used as payment of the fine and costs upon a plea of guilty or nolo contendere, as provided for in Section 2 of this act. Absent such ordinance, the municipal court may prescribe a bail bond schedule for traffic offenses. The amount of bail shall not exceed the maximum fine and costs provided by ordinance for each offense.

SECTION 3. This act shall become effective September 1, 1993.

Passed the House of Representatives the 25th day of February,
1993.

Speaker of the House of
Representatives

Passed the Senate the 22nd day of March, 1993.

President of the Senate