

SHORT TITLE: Cities and towns; providing for method of bond forfeiture collection by municipal courts; effective date.

STATE OF OKLAHOMA

1st Session of the 44th Legislature (1993)

SENATE BILL NO. 289

By: Hooper

AS INTRODUCED

An Act relating to cities and towns; amending 11 O.S.

1991, Section 27-118, which relates to municipal courts; providing for additional method of bond forfeiture collection by municipal courts; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 1991, Section 27-118, is amended to read as follows:

Section 27-118. If, without sufficient excuse, a defendant fails to appear according to the terms or conditions of ~~his~~ a bond, either for hearing, arraignment, trial or judgment, or upon any other occasion when his presence in court or before the magistrate may be lawfully required, bond forfeiture shall follow the procedures set forth in Section 1332 of Title 59 of the Oklahoma Statutes, or the judge may ~~direct that fact to be entered upon the court minutes, thereby~~ issue an order declaring the bond to be forfeited and stating the reasons therefor. ~~Without advancing court costs, the~~ The judge shall ~~then~~ cause the forfeiture to be certified to the district court in the county where the ~~situs of the~~ municipal government is located, where it shall be entered upon the judgment docket, without cost, and shall have the full force and effect of a district court judgment. ~~At such time as~~ When the forfeiture is

entered upon the district court judgment docket, the district court clerk shall proceed in accordance with the provisions of Sections ~~1330 through 1333 and 1335~~ 1332 and 1333 of Title 59 of the Oklahoma Statutes. A surety shall have all remedies available under the provisions of Section 1108 of Title 22 and Sections 1301 through 1340 of Title 59 of the Oklahoma Statutes. Court costs shall be collectible from the proceeds of the bond.

SECTION 2. This act shall become effective September 1, 1993.

44-1-0479

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