

SHORT TITLE: An Act relating to victims; modifying  
reference relating to victim compensation;  
emergency.

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

SENATE BILL NO. 973

By: Douglass

AS INTRODUCED

An Act relating to victims; amending 21 O.S. 1991, Section 142.18, as amended by Section 10, Chapter 325, O.S.L. 1993 (21 O.S. Supp. 1993, Section 142.18), which relates to victim compensation; modifying statutory reference; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 142.18, as amended by Section 10, Chapter 325, O.S.L. 1993 (21 O.S. Supp. 1993, Section 142.18), is amended to read as follows:

Section 142.18 A. In addition to the imposition of any costs, penalties or fines imposed pursuant to law, any person convicted of, pleading guilty to or agreeing to a deferred judgment procedure under the provisions of Section 991c of Title 22 of the Oklahoma Statutes for a felony involving criminally injurious conduct shall be ordered to pay a victim compensation assessment of at least Thirty Dollars (\$30.00), but not to exceed Ten Thousand Dollars (\$10,000.00), for each crime for which he was convicted or for which he agreed to a deferred judgment procedure. In imposing this penalty, the court shall consider factors such as the severity of the crime, the prior criminal record, and the ability of the defendant to pay, as well as the economic impact of the victim compensation assessment on the dependents of the defendant.

B. In addition to the imposition of any costs, penalties or fines imposed pursuant to law, any person convicted of, pleading guilty to or agreeing to a deferred judgment procedure under the

provisions of Section 991c of Title 22 of the Oklahoma Statutes for a felony or misdemeanor offense, not including traffic offenses and not including misdemeanor offenses of the Oklahoma Wildlife Conservation Code, Section 1-101 et seq. of Title 29 of the Oklahoma Statutes, or statutes relating to water safety, not described in subsection A of this section, the court shall levy a victim compensation assessment of at least Twenty-five Dollars (\$25.00), but not to exceed One Thousand Dollars (\$1,000.00) for each felony and at least Ten Dollars (\$10.00), but not to exceed Three Hundred Dollars (\$300.00) for each misdemeanor upon every fine, penalty, and forfeiture imposed and collected. When a cash bond is posted for any offense included in this subsection, the bond shall also include a sufficient amount to cover the minimum amount for victim compensation assessment.

C. The victim compensation assessment levied by the court pursuant to Section 1116 of Title 10 of the Oklahoma Statutes shall not exceed Two Thousand Dollars (\$2,000.00) for each criminally injurious act committed on a victim by the delinquent child.

D. All monies collected pursuant to this section shall be forwarded monthly by the court clerk to the Victims Compensation Revolving Fund.

E. In any municipal court of record in which the defendant is convicted of a crime involving violence, the threat of violence, or sexual assault, the court shall levy and collect a victims compensation assessment of Twenty-five Dollars (\$25.00). The municipal court clerk collecting said assessment is authorized to deduct ten percent (10%) of the amount collected from said Twenty-five Dollars (\$25.00) for administrative costs. In any municipal court of record in which the defendant is convicted of driving under the influence of alcohol or other intoxicating substance, or both alcohol and other intoxicating substance, the court shall levy and collect a victims compensation assessment of Fifteen Dollars

(\$15.00). The municipal court clerk collecting said assessment is authorized to deduct ten percent (10%) of the amount collected from said Fifteen Dollars (\$15.00) for administrative costs. All victims compensation assessments collected by the municipal court clerk shall be forwarded to the Crime Victims Compensation Fund on a quarterly basis.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

44-2-1935

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