

ENGROSSED SENATE AMENDMENT
TO
ENGROSSED HOUSE BILL NO. 1541

By: Settle, Hastings and
Perry of the House

and

Smith of the Senate

An Act relating to cities and towns; amending 11 O.S.
1991, Sections 27-119 and 28-102, which relate to
jury trials in municipal courts; raising the
minimum fine entitling a person to a jury trial;
excluding certain court costs from minimum fine;
adding certain imprisonment requirement for
municipal criminal courts of record; and providing
an effective date.

AMENDMENT NO. 1. Page 1, line 34 1/2, add a new SECTION 2 to read
as follows

"SECTION 2. AMENDATORY 11 O.S. 1991, Section 27-129, is
amended to read as follows:

Section 27-129. A. An appeal may be taken from a final
judgment of the municipal court by the defendant by filing in the
district court in the county where the situs of the municipal
government is located, within ten (10) days from the date of the
final judgment, a notice of appeal and by filing a copy of the
notice with the municipal court. In case of an appeal, a trial de
novo shall be had, and there shall be a right to a jury trial if the

offense is punishable by a fine of more than ~~One Hundred Dollars~~
~~(\$100.00)~~ Two Hundred Dollars (\$200.00) and costs.

B. Upon conviction, at the request of the defendant, or upon notice of appeal being filed, the judge of the municipal court shall enter an order on his docket fixing an amount in which bond may be given by the defendant, in cash or sureties for cash in an amount of not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00); except that, if the conviction involved a fine only, the amount of the bond shall be no greater than twice the amount of such fine. Bond shall be taken by the clerk of the court wherein judgment was rendered. Any pledge of sureties must be approved by a judge of the court.

C. Upon appeal being filed the judge shall within ten (10) days thereafter certify to the clerk of the appellate court the original papers in the case. If the papers have not been certified to the appellate court, the prosecuting attorney shall take the necessary steps to have the papers certified to the appellate court within twenty (20) days of the filing of the notice of appeal, and failure to do so, except for good cause shown, shall be grounds for dismissal of the charge by the appellate court, the cost to be taxed to the municipality. The certificate shall state whether or not the municipal judge hearing the case was a licensed attorney in Oklahoma.

D. All proceedings necessary to carry the judgment into effect shall be had in the appellate court."

and amend the title to conform

and renumber subsequent sections

Passed the Senate the 22nd day of March, 1995.

President of the Senate

Passed the House of Representatives the ____ day of
_____, 1995.

Speaker of the House of
Representatives