

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1588

By: Vaughn

AS INTRODUCED

An Act relating to fees; amending 28 O.S. 1991, Section 151, as last amended by Section 8, Chapter 339, O.S.L. 1996 (28 O.S. Supp. 1996, Section 151), which relates to court costs and filing fees; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY 28 O.S. 1991, Section 151, as last amended by Section 8, Chapter 339, O.S.L. 1996 (28 O.S. Supp. 1996, Section 151), is amended to read as follows:

Section 151. A. It shall be the duty of the clerks of the district court and other trial courts of record of this state to charge and collect the fees imposed by this title, and none others, in all cases, except those in which the defendant is charged with a misdemeanor or traffic violation, and except cases under the Small Claims Procedure Act, Section 1751 et seq. of Title 12 of the Oklahoma Statutes.

B. 1. Payment for any fee ~~herein~~ provided for in this title may be made by a nationally recognized credit card issued to the applicant. The court clerk may add an amount equal to the amount of

the service charge incurred, not to exceed four percent (4%) of the amount of the payment as a service charge for the acceptance and verification of the credit card. For purposes of this subsection, "nationally recognized credit card" means any instrument or device, whether known as a credit card, credit plate, charge plate, or by any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining goods, services, or anything else of value and which is accepted by over one thousand merchants in this state. The court clerk shall determine which nationally recognized credit cards will be accepted as payment for fees.

2. Written procedures for acceptance or rejection of credit cards shall be established by the Office of the State Auditor and Inspector with approval and direction to court clerks to be issued by the Administrative Office of the Courts.

C. Payment for any fee ~~herein~~ provided for in this title may be made by a personal or business check. The court clerk, at the court clerk's discretion, may:

1. Add an amount equal to the amount of the service charge incurred, not to exceed three percent (3%) of the amount of the check as a service charge for the acceptance and verification of the check; or

2. Add an amount of no more than Five Dollars (\$5.00) as a service charge for the acceptance and verification of a check. For purposes of this subsection, "personal or business check" shall not mean a money order, cashier's check, or bank certified check.

SECTION 2. This act shall become effective November 1, 1997.

46-1-6184

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