

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2491

By: Askins

AS INTRODUCED

An Act relating to criminal procedure; amending Section 47, Chapter 133, O.S.L. 1997 (22 O.S. Supp. 1997, Section 987.9), which relates to fees and costs for community sentences; clarifying language; and providing an effective date.

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

SECTION 1. AMENDATORY Section 47, Chapter 133, O.S.L. 1997 (22 O.S. Supp. 1997, Section 987.9), is amended to read as follows:

Section 987.9 A. Any offender sentenced to a community sentence pursuant to the applicable state sentencing matrix which requires supervision, or otherwise as authorized by law for a suspended or deferred sentence with supervision, shall be required to pay a supervision fee. The supervising agency shall establish the fee amount, not to exceed Forty Dollars (\$40.00) per month, based upon the ~~offender's~~ ability of the offender to pay. In hardship cases the supervising agency may expressly waive all or part of the fee. No supervising agency participating in a local community sentencing system shall deny any offender services for the sole reason that the offender is indigent. Fees collected for supervision services performed by the Department of Corrections

shall be paid directly to the Department to be deposited in the Department of Corrections Revolving Fund.

B. In addition to any supervision fee required, offenders participating in a local community sentencing system shall be required to pay a user fee for administrative services from the local system which shall not exceed Twenty Dollars (\$20.00) per month to be set by the local administrator. User fees when collected shall be deposited with the Community Sentencing Division within the Department of Corrections and credited to the local community sentencing system for support and expansion of the local community corrections system.

C. In addition to any supervision fee or user fee authorized by this section, the court shall assess court costs, and may assess program costs, restitution, and fines to be paid by the offender as the punishment imposed, subject to the ~~person's~~ ability of the person to pay.

SECTION 2. This act shall become effective November 1, 1998.

46-2-8087

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