

SHORT TITLE: Criminal procedure; mandating payment of jail costs by inmates; effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1007

By: Herbert

AS INTRODUCED

An Act relating to criminal procedure; amending 22 O.S. 1991, Section 979a, as amended by Section 1, Chapter 153, O.S.L. 1996 (22 O.S. Supp. 1997, Section 979a), which relates to payment of jail costs by inmates; modifying authority of the court; and providing an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 1991, Section 979a, as amended by Section 1, Chapter 153, O.S.L. 1996 (22 O.S. Supp. 1997, Section 979a), is amended to read as follows:

Section 979a. A. ~~The~~ Except as otherwise provided in this section, the court ~~may~~ shall require a person confined in a city or county jail, for any offense, to pay the jail facility the costs of incarceration, both before and after conviction. Costs of incarceration shall include housing, food, clothing, medical care, dental care, and psychiatric services. The costs for incarceration shall be an amount equal to the actual cost of the services and shall be determined by the chief of police for city jails and by the county sheriff for county jails. The cost of incarceration ~~may~~ shall be paid to all jail facilities where the person ~~may have been~~ is held before and after conviction. The costs shall not be assessed if, in the judgment of the court, such costs would impose a manifest hardship on the person, or if in the opinion of the court

the property of the person is needed for the maintenance and support of immediate family.

B. At any time prior to sentencing the convicted defendant may be required to reimburse the jail facility for the costs of incarceration prior to release from the facility.

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

46-2-2294

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