

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1430

By: Gilbert

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to criminal procedure; amending 22
9 O.S. 1991, Section 979a, as last amended by Section
10 3, Chapter 290, O.S.L. 1998 (22 O.S. Supp. 1998,
11 Section 979a), which relates to payment of jail costs
12 by inmates; modifying entity to receive reimbursement
13 under certain circumstances; and declaring an
14 emergency.

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

16 SECTION 1. AMENDATORY 22 O.S. 1991, Section 979a, as
17 last amended by Section 3, Chapter 290, O.S.L. 1998 (22 O.S. Supp.
18 1998, Section 979a), is amended to read as follows:

19 Section 979a. A. Except as otherwise provided in this section,
20 the municipal attorney or district attorney shall ask the court ~~may~~
21 to require a person confined in a city or county jail, for any
22 offense, to pay the jail facility the costs of incarceration, both
23 before and after conviction, upon conviction or receiving a deferred
24 sentence. Costs of incarceration shall include booking, receiving
25 and processing out, housing, food, clothing, medical care, dental
26 care, and psychiatric services. The costs for incarceration shall
27 be an amount equal to the actual cost of the services and shall be
28 determined by the chief of police for city jails, ~~and~~ by the county
29 sheriff for county jails or by contract amount if applicable. The
30 cost of incarceration ~~may~~ shall be paid to all jail facilities where
31 the person ~~may have been~~ is held before and after conviction. The
32 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

1 opinion of the court the property of the person is needed for the
2 maintenance and support of immediate family. Ten percent (10%) of
3 any amount collected shall be paid to the municipal attorney's or
4 district attorney's office, five percent (5%) shall be deposited in
5 the court clerk's revolving fund and the remaining amount shall be
6 deposited in the appropriate fund that reimburses costs assessed for
7 incarceration in a county jail, or in the appropriate city account
8 if reimbursing costs assessed for incarceration in a city jail.

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

12 C. Any offender injured during the commission of a felony or
13 misdemeanor offense shall be required to reimburse the sheriff or
14 municipality the full amount paid by the sheriff or municipality for
15 any medical care or treatment administered to such offender during
16 any period of incarceration or preceding incarceration in the county
17 or city jail. The sheriff or managing entity may deduct the costs
18 of medical care and treatment resulting from the commission of a
19 felony or misdemeanor offense from any money collected from such
20 inmate's jail account as authorized by Section 531 of Title 19 of
21 the Oklahoma Statutes. If the funds collected from the inmate's
22 jail account are insufficient to satisfy the actual medical costs
23 paid as a result of the commission of a felony or misdemeanor
24 offense, the court shall order the remaining balance of the medical
25 care and treatment to be paid.

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

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31 47-1-6378 LAC 6/11/15

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