

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2835

By: Liotta

AS INTRODUCED

An Act relating to funding a statewide law enforcement communications system; defining terms; establishing penalty assessment for conviction of certain offenses; establishing collection procedures; stating monies shall be used for statewide law enforcement communications system; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1313.7 of Title 20, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Convicted" means any final adjudication of guilt, whether pursuant to a plea of guilty or nolo contendere or otherwise, and any deferred or suspended sentence or judgment; and

2. "Court" means any district court having jurisdiction to impose a criminal fine or penalty.

B. In addition to any other penalty assessment imposed by law, any person convicted of any offense, including traffic offenses but excluding parking and standing violations, punishable by a fine of Ten Dollars (\$10.00) or more or by incarceration, or any person forfeiting bond when charged with such an offense, shall be ordered by the court to pay a fee of Ten Dollars (\$10.00) as a separate penalty assessment. The assessment and fee shall be in addition to and not in substitution for any and all fines and penalties otherwise provided for by law for such offense.

C. The fee shall be collected at the same time and in the same manner as the penalty assessments provided for in Sections 1313.2, 1313.3, 1313.4, 1313.5 and 1313.6 of Title 20 of the Oklahoma Statutes. Each court clerk is authorized to retain all interest accrued thereon prior to the due date for deposits as provided in this subsection. The court clerk shall deposit the fee collected pursuant to this section in the account provided for in subsection D of Section 1313.2 of Title 20 of the Oklahoma Statutes, and the amounts imposed by this section shall be forwarded monthly in one check or draft to the Department of Public Safety to be deposited in the Department of Public Safety Revolving Fund to be used to fund a statewide law enforcement communications system.

D. The deposits required by this section shall be included in the report required by Section 1313.2 of Title 20 of the Oklahoma Statutes and shall be listed as a separate item.

SECTION 2. This act shall become effective July 1, 2002.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-8421 LAC 6/12/15