

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 632

By: Smith

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 1991, Section 17-101, as amended by Section 4, Chapter 285, O.S.L. 2000 (47 O.S. Supp. 2000, Section 17-101), which relates to fees; requiring percentage of certain fees be deposited in certain fund; and providing an effective date.

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

SECTION 1. AMENDATORY 47 O.S. 1991, Section 17-101, as amended by Section 4, Chapter 285, O.S.L. 2000 (47 O.S. Supp. 2000, Section 17-101), is amended to read as follows:

Section 17-101. A. It is a misdemeanor for any person to violate any of the provisions of this title unless such violation is by this title or other law of this state declared to be a felony.

B. 1. Every person convicted of a misdemeanor for a violation of any of the provisions of Sections 10-101 through 14-121 or Sections 16-101 through 16-114 of this title for which another penalty is not provided shall upon conviction thereof be punished by a fine of not less than Twenty Dollars (\$20.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment for not more than ten (10) days; for a second such conviction within one (1) year after the first conviction by imprisonment for not more than twenty (20) days; upon a third or subsequent conviction within one (1) year after the first conviction by imprisonment for not more than six (6) months, or by both such fine and imprisonment. Ten Dollars (\$10.00) of any fine imposed under this subsection shall be remitted by the court, with five percent (5%) to be deposited in the Court Clerk's Revolving Fund, and the remainder to the State Treasurer to be

deposited in the Department of Public Safety Patrol Vehicle Revolving Fund.

2. Any person violating the provisions of Sections 10-101 through 14-121 or Sections 16-101 through 16-114 of this title, where a jail sentence is not mandatory may, in the discretion of the district attorney wherein the offense occurred, be permitted to enter a plea of guilty by written statement by the person charged to be presented to the court wherein the case is filed. A remittance covering the fine and costs may be considered and received with the same force and effect as a written plea of guilty.

C. Unless another penalty is in this title or by the laws of this state provided, every person convicted of a misdemeanor for the violation of any other provision of this title shall be punished by a fine of not less than Twenty Dollars (\$20.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment. Ten Dollars (\$10.00) of any fine imposed under this subsection shall be remitted by the court, with five percent (5%) to be deposited in the Court Clerk's Revolving Fund, and the remainder to the State Treasurer to be deposited in the Department of Public Safety Patrol Vehicle Revolving Fund.

D. Provided, however, notwithstanding any provision of law to the contrary, any offense, including traffic offenses, in violation of any of the provisions of this title which is not otherwise punishable by a term of imprisonment or confinement shall be punishable by a term of imprisonment not to exceed one day in the discretion of the court, in addition to any fine prescribed by law.

SECTION 2. This act shall become effective November 1, 2001.