

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2939

By: Nations

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to fees; amending Section 2, Chapter
9 179, O.S.L. 2004 (28 O.S. Supp. 2007, Section 32.3),
10 which relates to the payment of fees by debit or
11 credit card; authorizing county clerks to accept
12 payment for costs and cash bonds by debit or credit
13 card under certain circumstances; and providing an
14 effective date.

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

16 SECTION 1. AMENDATORY Section 2, Chapter 179, O.S.L.
17 2004 (28 O.S. Supp. 2007, Section 32.3), is amended to read as
18 follows:

19 Section 32.3 A. Notwithstanding any other provision of law, a
20 county clerk may accept payment for fees, costs, or bonds by
21 automated clearing house or by a nationally recognized debit or
22 credit card. ~~If payment is made by a credit or debit card, the~~
23 ~~county clerk shall add an amount equal to the amount of the service~~
24 ~~charge incurred for the acceptance of the payment; provided,~~
however, that the Oklahoma Supreme Court is authorized, under its

1 general superintending control of all inferior courts, to cap the
2 dollar amount that a clerk may accept in payment of a bond by credit
3 or debit card. If the Supreme Court, by issuing a court rule or
4 administrative order, imposes such a limitation on the amount of
5 bond that can be paid by credit or debit card, the clerk is bound by
6 that limitation and may not accept any greater amount by credit or
7 debit card as payment for a bond.

8 B. A county clerk may enter into contracts for credit card
9 processing services according to applicable county purchasing laws
10 or may enter into agreements with the State Treasurer to participate
11 in any credit card processing agreements entered into by the State
12 Treasurer. County clerks may establish prepaid fee accounts in a
13 manner as prescribed by the Office of the State Auditor and
14 Inspector.

15 SECTION 2. This act shall become effective November 1, 2008.

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17 51-2-10248 GRS 2/21/08

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