

THE HOUSE OF REPRESENTATIVES  
Wednesday, February 27, 2008

Committee Substitute for  
House Bill No. 2939

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2939 - By: NATIONS of the House and SPARKS of the Senate.

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

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

1 SECTION 1. AMENDATORY Section 2, Chapter 179, O.S.L. 2004 (28 O.S.  
2 Supp. 2007, Section 32.3), is amended to read as follows:  
3 Section 32.3 A. Notwithstanding any other provision of law, a county clerk may  
4 accept payment for fees, costs, or bonds by automated clearing house or by a nationally  
5 recognized debit or credit card. ~~If payment is made by a credit or debit card, the county~~  
6 ~~clerk shall add an amount equal to the amount of the service charge incurred for the~~  
7 ~~acceptance of the payment;~~ provided, however, that the Oklahoma Supreme Court is  
8 authorized, under its general superintending control of all inferior courts, to cap the  
9 dollar amount that a clerk may accept in payment of a bond by credit or debit card. If  
10 the Supreme Court, by issuing a court rule or administrative order, imposes such a  
11 limitation on the amount of bond that can be paid by credit or debit card, the clerk is

1 bound by that limitation and may not accept any greater amount by credit or debit card  
2 as payment for a bond.

3 B. A county clerk may enter into contracts for credit card processing services  
4 according to applicable county purchasing laws or may enter into agreements with the  
5 State Treasurer to participate in any credit card processing agreements entered into by  
6 the State Treasurer. County clerks may establish prepaid fee accounts in a manner as  
7 prescribed by the Office of the State Auditor and Inspector.

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

9 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,  
10 dated 02-26-08 - DO PASS, As Amended and Coauthored.