

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2939

By: Nations

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5  
6 AS INTRODUCED

7 An Act relating to fees; amending Section 2, Chapter  
8 179, O.S.L. 2004 (28 O.S. Supp. 2007, Section 32.3),  
9 which relates to the payment of fees by debit or  
10 credit card; authorizing district court clerks to  
11 accept payment for costs and cash bonds by debit or  
12 credit card; amending Section 3, Chapter 386, O.S.L.  
2005 (28 O.S. Supp. 2007, Section 153.3), which  
relates to bond and security filing fees; directing  
district and municipal court clerks to charge  
additional fee for payments made by debit or credit  
card; and providing an effective date.

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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 Notwithstanding any other provision of law, a  
20 county or district court clerk may accept payment for fees, costs,  
21 or cash bonds not to exceed Four Thousand Five Hundred Dollars  
22 (\$4,500.00) by automated clearing house or by a nationally  
23 recognized debit or credit card. If payment is made by a credit or  
24 debit card, the county or district court clerk shall add an amount

1 equal to the amount of the service charge incurred for the  
2 acceptance of the payment. A county or district court clerk may  
3 enter into contracts for credit card processing services according  
4 to applicable county purchasing laws or may enter into agreements  
5 with the State Treasurer to participate in any credit card  
6 processing agreements entered into by the State Treasurer. County  
7 or district court clerks may establish prepaid fee accounts in a  
8 manner as prescribed by the Office of the State Auditor and  
9 Inspector.

10 SECTION 2. AMENDATORY Section 3, Chapter 386, O.S.L.  
11 2005 (28 O.S. Supp. 2007, Section 153.3), is amended to read as  
12 follows:

13 Section 153.3 The district court clerk or municipal court clerk  
14 shall charge a fee of Thirty-five Dollars (\$35.00) for the initial  
15 filing of any bond or any security deposited with the district court  
16 clerk or municipal court clerk for the subsequent court appearance  
17 of the defendant and shall charge an additional fee for the service  
18 charge incurred for the acceptance of a cash bond payment, not  
19 exceeding Four Thousand Five Hundred Dollars (\$4,500.00), made  
20 through a nationally recognized credit or debit card, which fee  
21 shall be assessed as an additional court cost to the defendant. The  
22 district court clerk shall remit on a monthly basis Twenty-five  
23 Dollars (\$25.00) of every thirty-five-dollar fee imposed on a  
24 defendant sentenced to jail to the Sheriff's Jail Fund as

1 established by the county commissioners or to a special revenue fund  
2 of the entity operating a jail. The municipal court clerk shall  
3 make such remittance to a special revenue fund of the entity  
4 operating the jail for the municipality or to a fund designated by  
5 the municipal governing body for operating a jail housing municipal  
6 prisoners.

7 SECTION 3. This act shall become effective November 1, 2008.

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9 51-2-8752 GRS 01/11/08

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