

1 ENGROSSED HOUSE
2 BILL NO. 1061

By: Sherrer and Smithson of the
House

3 and

4 Burrage of the Senate
5
6

7 An Act relating to cities and towns; amending 11 O.S.
8 2001, Section 27-126, as amended by Section 3,
9 Chapter 61, O.S.L. 2006 (11 O.S. Supp. 2008, Section
10 27-126), which relates to costs charged by court;
11 providing for fees that may be charged by court;
12 allowing for increase in court costs; authorizing
13 court clerk to charge and collect fee; authorizing
14 municipalities to enter into certain contracts with
15 collection agencies; authorizing collection fees;
16 providing for codification; and providing an
17 effective date.

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

19 SECTION 1. AMENDATORY 11 O.S. 2001, Section 27-126, as
20 amended by Section 3, Chapter 61, O.S.L. 2006 (11 O.S. Supp. 2008,
21 Section 27-126), is amended to read as follows:

22 Section 27-126. Except as provided in Section 14-111 of this
23 title and subject to other limitations or exceptions imposed by law,
24 the municipal governing body shall determine by ordinance the court
costs and fees that may be charged and collected by the clerk of the
court, ~~but these.~~ Court costs shall not exceed the sum of Twenty-
five Dollars (\$25.00) plus the fees and mileage of jurors and

1 witnesses. The clerk of the court is authorized to charge and
2 collect the fees as determined by the municipal body.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 22-138 of Title 11, unless there
5 is created a duplication in numbering, reads as follows:

6 A. The governing body of a municipality may enter into a
7 contract with a collection agency for the provision of collection
8 services for one or more of the following items:

9 1. Debts and accounts receivable including, but not limited to,
10 unpaid fees, penalties, interest, and other sums due the
11 municipality, as applicable; or

12 2. Court penalties, costs, fines and fees in cases in municipal
13 court in which the accused has failed to appear or otherwise failed
14 to satisfy a monetary obligation ordered by the court.

15 B. A governing body of a municipality that enters into a
16 contract with a collection agency pursuant to this section may
17 authorize the addition of a collection fee in an amount not to
18 exceed forty percent (40%) on each item described in subsection A of
19 this section that has been referred by the municipality to the
20 collection agency for collection. If a municipality enters into
21 such contract with a collection agency and authorizes the collection
22 fee, the court shall order defendants to reimburse the fee arising
23 pursuant to paragraph 2 of subsection A of this section and such

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