

EHB 1061

THE STATE SENATE
Wednesday, April 1, 2009

ENGROSSED

House Bill No. 1061

As Amended

ENGROSSED HOUSE BILL NO. 1061 - By: Sherrer and Smithson of the House and Burrage of the Senate.

[cities and towns - court costs - collection agencies - collection of fees - codification - effective date]

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

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

Section 27-126. Except as provided in Section 14-111 of this title and subject to other limitations or exceptions imposed by law, 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 witnesses. The clerk of the court is authorized to charge and collect the fees as determined by the municipal body.

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

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

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

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

10 B. A governing body of a municipality that enters into a
11 contract with a collection agency pursuant to this section may
12 authorize the addition of a collection fee in an amount not to
13 exceed **twenty-five percent (25%)** on each item described in
14 subsection A of this section that has been referred by the
15 municipality to the collection agency for collection. If a
16 municipality enters into such contract with a collection agency and
17 authorizes the collection fee, the court shall order defendants to
18 reimburse the fee arising pursuant to paragraph 2 of subsection A of
19 this section and such court-ordered fee may be collected as provided
20 by law for the collection of any other civil debt or criminal
21 action.

22 SECTION 3. This act shall become effective November 1, 2009.

23 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 3-30-09
24 - DO PASS, As Amended.