

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2636

By: Johnson

4
5
6 AS INTRODUCED

7 An Act relating to labor; providing for payment of
8 fees and fines to the Oklahoma Department of Labor;
9 defining term; providing for administrative service
10 fee; providing for certain complaint to be filed with
the district attorney; providing for codification;
and providing an effective date.

11
12
13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 12 of Title 40, unless there is
17 created a duplication in numbering, reads as follows:

18 A. All remittances of fees and fines required to be paid to the
19 Oklahoma Department of Labor pursuant to state law shall be made to
20 the Department by bank draft, check, cashier's check, money order,
21 cash, or nationally recognized credit card or debit card. If
22 payment is made by credit or debit card, the Department may add an
23 amount equal to the amount of the service charge incurred by the
24 Department, as a convenience fee for the acceptance of the credit or

1 debit card. For purposes of this subsection, "nationally recognized
2 credit or debit card" means any instrument or device, whether known
3 as a credit card, credit plate, charge plate, debit card, or by any
4 other name issued with or without fee by an issuer for the use of
5 the cardholder in obtaining goods, service, or anything of value on
6 credit which is accepted by over one thousand merchants in this
7 state. The Department shall promulgate rules to allow for the
8 implementation of payment of fees by credit or debit card.

9 B. All remittances by bank draft, check, cashier's check, or
10 money order, collected pursuant to any law, Department rule, or
11 order, shall be made payable to the Oklahoma Department of Labor.
12 The Department shall issue its receipt, for cash or money payment to
13 the remitter. No remittance other than cash shall be in full
14 discharge of liability due the Oklahoma Department of Labor unless
15 and until it shall have been paid in cash. All money collected,
16 including service or convenience fees, shall be deposited with the
17 State Treasurer of this state.

18 C. There shall be assessed, in addition to any other penalties
19 provided for by law, an administrative service fee of Twenty-five
20 Dollars (\$25.00) on each check returned to the Oklahoma Department
21 of Labor or any agent by reason of the refusal of the bank upon
22 which the check was drawn to honor the same.

23 D. Upon the return of any check by reason of the refusal of the
24 bank upon which the check was drawn to honor the same, the Oklahoma

1 Department of Labor may file a bogus check complaint with the
2 appropriate district attorney who shall refer the complaint to the
3 Bogus Check Restitution Program established by Section 111 of Title
4 22 of the Oklahoma Statutes. Funds collected by the program, after
5 collection of the fee authorized by Section 114 of Title 22 of the
6 Oklahoma Statutes, shall be transmitted to the Oklahoma Department
7 of Labor and credited to the liability for which the returned check
8 was drawn and to the administrative service fee provided by this
9 section.

10 SECTION 2. This act shall become effective November 1, 2010.

11
12 52-2-9040 LRB 12/30/09
13
14
15
16
17
18
19
20
21
22
23
24