

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2872

By: Buck

4  
5  
6 AS INTRODUCED

7 An Act relating to fees; amending 20 O.S. 2001,  
8 Sections 1313.2, as last amended by Section 1,  
9 Chapter 442, O.S.L. 2009, 1313.3, as last amended by  
10 Section 1, Chapter 556, O.S.L. 2004, 1313.4, as  
11 amended by Section 3, Chapter 224, O.S.L. 2003 and  
12 1313.5, as amended by Section 2, Chapter 354, O.S.L.  
13 2004 (20 O.S. Supp. 2009, Sections 1313.2, 1313.3,  
14 1313.4 and 1313.5), which relate to penalty  
15 assessments in criminal cases; removing penalty  
16 assessment for certain traffic offense conviction;  
17 amending 28 O.S. 2001, Sections 153, as last amended  
18 by Section 21, Chapter 3, O.S.L. 2008 and 153.2 (28  
19 O.S. Supp. 2009, Section 153), which relate to costs  
20 and fees in criminal cases; removing fee assessment  
21 for certain traffic offense conviction; and providing  
22 an effective date.

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

24 SECTION 1. AMENDATORY 20 O.S. 2001, Section 1313.2, as  
last amended by Section 1, Chapter 442, O.S.L. 2009 (20 O.S. Supp.  
2009, Section 1313.2), is amended to read as follows:

Section 1313.2 A. As used in this section:

1. "Convicted" means any final adjudication of guilt, whether  
pursuant to a plea of guilty or nolo contendere or otherwise, and  
any deferred or suspended sentence or judgment;

1           2. "Court" means any state or municipal court having  
2 jurisdiction to impose a criminal fine or penalty; and

3           3. "DNA" means Deoxyribonucleic acid.

4           B. Any person convicted of an offense, including traffic  
5 offenses but excluding parking and standing violations or exceeding  
6 the speed limit by at least one (1) mile per hour but not more than  
7 ten (10) miles per hour, punishable by a fine of Ten Dollars  
8 (\$10.00) or more or by incarceration or any person forfeiting bond  
9 when charged with such an offense, shall be ordered by the court to  
10 pay Nine Dollars (\$9.00) as a separate fee, which fee shall be in  
11 addition to and not in substitution for any and all fines and  
12 penalties otherwise provided for by law for such offense.

13           C. 1. Any person convicted of any misdemeanor or felony  
14 offense shall pay a Laboratory Analysis Fee in the amount of One  
15 Hundred Fifty Dollars (\$150.00) for each offense if forensic science  
16 or laboratory services are rendered or administered by the Oklahoma  
17 State Bureau of Investigation, by the Toxicology Laboratory of the  
18 Office of the Chief Medical Examiner or by any municipality or  
19 county in connection with the case. This fee shall be in addition  
20 to and not a substitution for any and all fines and penalties  
21 otherwise provided for by law for this offense.

22           2. The court clerk shall cause to be deposited the amount of  
23 One Hundred Fifty Dollars (\$150.00) as collected, for every  
24

1 conviction as described in this subsection. The court clerk shall  
2 remit the monies in the fund on a monthly basis directly either to:

3 a. the Oklahoma State Bureau of Investigation who shall  
4 deposit the monies into the OSBI Revolving Fund  
5 provided for in Section 150.19a of Title 74 of the  
6 Oklahoma Statutes for services rendered or  
7 administered by the Oklahoma State Bureau of  
8 Investigation,

9 b. the Office of the Chief Medical Examiner who shall  
10 deposit the monies into the Office of the Chief  
11 Medical Examiner Toxicology Laboratory Revolving Fund  
12 provided for in Section 954 of Title 63 of the  
13 Oklahoma Statutes for services rendered or  
14 administered by the Toxicology Laboratory of the  
15 Office of the Chief Medical Examiner, or

16 c. the appropriate municipality or county for services  
17 rendered or administered by a municipality or county.

18 3. The monies from the Laboratory Analysis Fee Fund deposited  
19 into the OSBI Revolving Fund shall be used for the following:

20 a. providing criminalistic laboratory services,

21 b. the purchase and maintenance of equipment for use by  
22 the laboratory in performing analysis,

23 c. education, training, and scientific development of

24 Oklahoma State Bureau of Investigation personnel, and

1           d.    the destruction of seized property and chemicals as  
2                    prescribed in Sections 2-505 and 2-508 of Title 63 of  
3                    the Oklahoma Statutes.

4           D.    Upon conviction or bond forfeiture, the court shall collect  
5 the fee provided for in subsection B of this section and deposit it  
6 in an account created for that purpose. Except as otherwise  
7 provided in subsection E of this section, monies shall be forwarded  
8 monthly by the court clerk to the Council on Law Enforcement  
9 Education and Training. Beginning July 1, 2003, deposits shall be  
10 due on the fifteenth day of each month for the preceding calendar  
11 month. There shall be a late fee imposed for failure to make timely  
12 deposits; provided, the Council on Law Enforcement Education and  
13 Training, in its discretion, may waive all or part of the late fee.  
14 Such late fee shall be one percent (1%) of the principal amount due  
15 per day beginning from the tenth day after payment is due and  
16 accumulating until the late fee reaches one hundred percent (100%)  
17 of the principal amount due. Beginning on July 1, 1987, ninety  
18 percent (90%) of the monies received by the Council on Law  
19 Enforcement Education and Training from the court clerks pursuant to  
20 this section shall be deposited in the CLEET Fund, and ten percent  
21 (10%) shall be deposited in the General Revenue Fund. Beginning  
22 January 1, 2001, sixty and fifty-three one-hundredths percent  
23 (60.53%) of the monies received by the Council on Law Enforcement  
24 Education and Training from the court clerks pursuant to this

1 section shall be deposited in the CLEET Fund created pursuant to  
2 subsection G of this section, five and eighty-three one-hundredths  
3 percent (5.83%) shall be deposited in the General Revenue Fund and  
4 thirty-three and sixty-four one-hundredths percent (33.64%) shall be  
5 deposited in the CLEET Training Center Revolving Fund created  
6 pursuant to Section 3311.6 of Title 70 of the Oklahoma Statutes.  
7 Along with the deposits required by this subsection, each court  
8 shall also submit a report stating the total amount of funds  
9 collected and the total number of fees imposed during the preceding  
10 quarter. The report may be made on computerized or manual  
11 disposition reports.

12 E. Any municipality or county having a basic law enforcement  
13 academy approved by the Council on Law Enforcement Education and  
14 Training pursuant to the criteria developed by the Council for  
15 training law enforcement officers shall retain from monies collected  
16 pursuant to subsections A through D of this section, Two Dollars  
17 (\$2.00) from each fee. These monies shall be deposited into an  
18 account for the sole use of the municipality or county in  
19 implementing its law enforcement training functions. Not more than  
20 seven percent (7%) of the monies shall be used for court and  
21 prosecution training. The court clerk of any such municipality or  
22 county shall furnish to the Council on Law Enforcement Education and  
23 Training the report required by subsection D of this section.

24

1 F. 1. Any person entering a plea of guilty or nolo contendere  
2 or is found guilty of the crime of misdemeanor possession of  
3 marijuana or drug paraphernalia shall be ordered by the court to pay  
4 a five-dollar fee, which shall be in addition to and not in  
5 substitution for any and all fines and penalties otherwise provided  
6 for by law for such offense.

7 2. The court clerk shall cause to be deposited the amount of  
8 Five Dollars (\$5.00) as collected, for every adjudicated or  
9 otherwise convicted person as described in this subsection. The  
10 court clerk shall remit the monies in the fund on a monthly basis  
11 directly to the Bureau of Narcotics Drug Education Revolving Fund.

12 G. There is hereby created in the State Treasury a fund for the  
13 Council on Law Enforcement Education and Training to be designated  
14 the "CLEET Fund". The fund shall be subject to legislative  
15 appropriation and shall consist of any monies received from fees and  
16 receipts collected pursuant to the Oklahoma Open Records Act,  
17 reimbursements for parts used in the repair of weapons of law  
18 enforcement officers attending the basic academies, gifts, bequests,  
19 contributions, tuition, fees, devises, and the assessments levied  
20 pursuant to the fund pursuant to law.

21 H. 1. Any person convicted of a felony offense shall pay a DNA  
22 fee of One Hundred Fifty Dollars (\$150.00). This fee shall not be  
23 collected if the person has a valid DNA sample in the OSBI DNA  
24 Offender Database at the time of sentencing.

1           2. The court clerk shall cause to be deposited the amount of  
2 One Hundred Fifty Dollars (\$150.00) as collected, for every felony  
3 conviction as described in this subsection. The court clerk shall  
4 remit the monies in said fund on a monthly basis directly to the  
5 Oklahoma State Bureau of Investigation who shall deposit the monies  
6 into the OSBI Revolving Fund provided for in Section 150.19a of  
7 Title 74 of the Oklahoma Statutes for services rendered or  
8 administered by the Oklahoma State Bureau of Investigation.

9           3. The monies from the DNA sample fee deposited into the OSBI  
10 Revolving Fund shall be used for creating, staffing, and maintaining  
11 the OSBI DNA Laboratory and OSBI Combined DNA Index System (CODIS)  
12 Database.

13           I. It shall be the responsibility of the court clerk to account  
14 for and ensure the correctness and accuracy of payments made to the  
15 state agencies identified in Sections 1313.2 through 1313.4 of this  
16 title. Payments made directly to an agency by the court clerk as a  
17 result of different types of assessments and fees pursuant to  
18 Sections 1313.2 through 1313.4 of this title shall be made monthly  
19 to each state agency.

20           SECTION 2.           AMENDATORY           20 O.S. 2001, Section 1313.3, as  
21 last amended by Section 1, Chapter 556, O.S.L. 2004 (20 O.S. Supp.  
22 2009, Section 1313.3), is amended to read as follows:

23           Section 1313.3 A. In addition to the fees imposed by Sections  
24 1313.2 and 1313.4 of this title, any person convicted of any

1 offense, including traffic offenses but excluding parking and  
2 standing violations or exceeding the speed limit by at least one (1)  
3 mile per hour but not more than (10) miles per hour, punishable by a  
4 fine of Ten Dollars (\$10.00) or more or by incarceration or any  
5 person forfeiting bond when charged with such offense, shall be  
6 ordered by the court to pay a fingerprinting fee in the amount of  
7 Five Dollars (\$5.00) for each offense for the A.F.I.S. Fund created  
8 by Section 150.25 of Title 74 of the Oklahoma Statutes. The fee  
9 shall be in addition to and not in substitution for any and all  
10 fines and penalties otherwise provided for by law for the offense.  
11 The fee shall be collected at the same time as the fees provided for  
12 in Section 1313.2 of this title. Four Dollars and fifty cents  
13 (\$4.50) of each fee received pursuant to this section shall be paid  
14 directly to the A.F.I.S. Fund and the balance shall be deposited in  
15 the General Revenue Fund by the court clerk. The payments shall be  
16 made to the appropriate fund by the court clerk on a monthly basis  
17 as set forth by subsection H of Section 1313.2 of this title.

18 B. As used in this section:

19 1. "Convicted" means any final adjudication of guilt, whether  
20 pursuant to a plea of guilty or nolo contendere or otherwise, and  
21 any deferred judgment or suspended sentence; and

22 2. "Court" means any state or municipal court having  
23 jurisdiction to impose a criminal fine or penalty.

24

1 SECTION 3. AMENDATORY 20 O.S. 2001, Section 1313.4, as  
2 amended by Section 3, Chapter 224, O.S.L. 2003 (20 O.S. Supp. 2009,  
3 Section 1313.4), is amended to read as follows:

4 Section 1313.4 A. In addition to the penalty assessments and  
5 fees imposed by Sections 1313.2 and 1313.3 of this title, any person  
6 convicted of any offense, including traffic offenses, but excluding  
7 parking and standing violations or exceeding the speed limit by at  
8 least one (1) mile per hour but not more than ten (10) miles per  
9 hour, punishable by a fine of Ten Dollars (\$10.00) or more or by  
10 incarceration, or any person forfeiting any bond when charged with  
11 any offense, shall be ordered by the court to pay a Forensic Science  
12 Improvement Assessment in the amount of Five Dollars (\$5.00) for  
13 each offense. The assessment shall be in addition to, and not in  
14 substitution for, any and all fines and penalties otherwise provided  
15 by law for the offense. The assessment shall be collected at the  
16 time and in the manner as the fees provided in Sections 1313.2 and  
17 1313.3 of this title. Each municipal court clerk is authorized to  
18 retain five percent (5%) of the assessment collected by each  
19 municipal court clerk pursuant to the provisions of this section.  
20 All court clerks shall send the assessments collected to the  
21 Oklahoma State Bureau of Investigation for deposit into the Forensic  
22 Science Improvement Revolving Fund created by Section 150.35 of  
23 Title 74 of the Oklahoma Statutes less any amount authorized to be  
24 retained. The deposits of funds collected pursuant to the

1 provisions of this section shall be due and payable as required in  
2 subsection H of Section 1313.2 of this title. Any funds deposited  
3 as required by this section shall be listed as a separate item from  
4 other deposits made pursuant to Sections 1313.2 and 1313.3 of this  
5 title.

6 B. As used in this section, "convicted" and "court" shall have  
7 the same meaning as defined by Section 1313.2 of this title.

8 SECTION 4. AMENDATORY 20 O.S. 2001, Section 1313.5, as  
9 amended by Section 2, Chapter 354, O.S.L. 2004 (20 O.S. Supp. 2009,  
10 Section 1313.5), is amended to read as follows:

11 Section 1313.5 A. As used in this section:

12 1. "Convicted" means any final adjudication of guilt, whether  
13 pursuant to a plea of guilty or nolo contendere or otherwise, and  
14 any deferred or suspended sentence or judgment; and

15 2. "Court" means any district court having jurisdiction to  
16 impose a criminal fine or penalty.

17 B. In addition to any other penalty assessment imposed by law,  
18 any person convicted of any traffic offense punishable pursuant to  
19 Title 47 of the Oklahoma Statutes, but excluding a conviction for a  
20 violation of Section 11-901, 11-902, 11-1112, 11-1114 or 12-417 of  
21 Title 47 of the Oklahoma Statutes and excluding parking and standing  
22 violations or exceeding the speed limit by at least one (1) mile per  
23 hour but not more than ten (10) miles per hour, or any person  
24 forfeiting bond when charged with such an offense, shall be ordered

1 by the court to pay a fee of Twenty Dollars (\$20.00) as a separate  
2 penalty assessment. The assessment and fee shall be in addition to  
3 and not in substitution for any and all fines and penalties  
4 otherwise provided for by law for such offense.

5 C. The fee shall be collected at the same time and in the same  
6 manner as the penalty assessments provided for in Sections 1313.2  
7 and 1313.3 of this title. Each court clerk is authorized to retain  
8 all interest accrued thereon prior to the due date for deposits as  
9 provided in this subsection. The court clerk shall deposit the fee  
10 collected pursuant to this section in the account provided for in  
11 subsection D of Section 1313.2 of this title, and the amounts  
12 imposed by this section shall be forwarded monthly in one check or  
13 draft to the Department of Public Safety to be deposited in the  
14 Department of Public Safety Patrol Vehicle Revolving Fund.

15 D. The deposits required by this section shall be included in  
16 the report required by Section 1313.2 of this title and shall be  
17 listed as a separate item.

18 SECTION 5. AMENDATORY 28 O.S. 2001, Section 153, as last  
19 amended by Section 21, Chapter 3, O.S.L. 2008 (28 O.S. Supp. 2009,  
20 Section 153), is amended to read as follows:

21 Section 153. A. The clerks of the courts shall collect as  
22 costs in every criminal case for each offense of which the defendant  
23 is convicted, irrespective of whether or not the sentence is  
24 deferred, the following flat charges and no more, except for

1 standing and parking violations and for charges otherwise provided  
2 for by law, which fee shall cover docketing of the case, filing of  
3 all papers, issuance of process, warrants, orders, and other  
4 services to the date of judgment:

5 1. For each defendant convicted of  
6 exceeding the speed limit by at least  
7 one (1) mile per hour but not more  
8 than ten (10) miles per hour, whether  
9 charged individually or conjointly  
10 with others.....\$77.00

11 2. For each defendant convicted of a  
12 misdemeanor traffic violation other  
13 than an offense provided for in  
14 paragraph 1 or 5 of this subsection,  
15 whether charged individually or  
16 conjointly with others.....\$98.00

17 3. For each defendant convicted of a  
18 misdemeanor, other than for driving  
19 under the influence of alcohol or  
20 other intoxicating substance or an  
21 offense provided for in paragraph 1 or  
22 2 of this subsection, whether charged  
23 individually or conjointly with others.....\$93.00  
24

- 1 4. For each defendant convicted of a  
2 felony, other than for driving under  
3 the influence of alcohol or other  
4 intoxicating substance, whether  
5 charged individually or conjointly  
6 with others.....\$103.00
- 7 5. For each defendant convicted of the  
8 misdemeanor of driving under the  
9 influence of alcohol or other  
10 intoxicating substance, whether charged  
11 individually or conjointly with others..... \$433.00
- 12 6. For each defendant convicted of the  
13 felony of driving under the influence  
14 of alcohol or other intoxicating  
15 substance, whether charged  
16 individually or conjointly with others.....\$433.00
- 17 7. For the services of a court reporter at  
18 each preliminary hearing and trial  
19 held in the case.....\$20.00
- 20 8. For each time a jury is requested.....\$30.00
- 21 9. A sheriff's fee for serving or  
22 endeavoring to serve each writ,  
23 warrant, order, process, command, or  
24

1 notice or pursuing any fugitive from  
2 justice

3 a. within the county..... \$50.00, or  
4 mileage as  
5 established by the  
6 Oklahoma Statutes,  
7 whichever is  
8 greater, or

9 b. outside of the county..... \$50.00, or  
10 actual, necessary  
11 expenses, whichever  
12 is greater

13 10. For the services of a language interpreter, other than an  
14 interpreter appointed pursuant to the provisions of the Oklahoma  
15 Legal Interpreter for the Deaf and Hard-of-Hearing Act, at each  
16 hearing held in the case, the actual cost of the interpreter.

17 B. In addition to the amount collected pursuant to paragraphs 2  
18 through 6 of subsection A of this section, the sum of Six Dollars  
19 (\$6.00) shall be assessed and credited to the Law Library Fund  
20 pursuant to Section 1201 et seq. of Title 20 of the Oklahoma  
21 Statutes.

22 C. In addition to the amount collected pursuant to paragraphs 2  
23 through 6 of subsection A of this section, the sum of Ten Dollars  
24 (\$10.00) shall be assessed and collected in every traffic case for

1 each offense other than for driving under the influence of alcohol  
2 or other intoxicating substance; the sum of Fifteen Dollars (\$15.00)  
3 shall be assessed and collected in every misdemeanor case for each  
4 offense; the sum of Fifteen Dollars (\$15.00) shall be assessed and  
5 collected in every misdemeanor case for each offense for driving  
6 under the influence of alcohol or other intoxicating substance; the  
7 sum of Twenty-five Dollars (\$25.00) shall be assessed and collected  
8 in every felony case for each offense; and the sum of Twenty-five  
9 Dollars (\$25.00) shall be assessed and collected in every felony  
10 case for each offense for driving under the influence of alcohol or  
11 other intoxicating substance.

12 D. In addition to the amounts collected pursuant to ~~subsections~~  
13 paragraphs 2 through 6 of subsection A and subsection B of this  
14 section, the sum of Twenty-five Dollars (\$25.00) shall be assessed  
15 and credited to the Oklahoma Court Information System Revolving Fund  
16 created pursuant to Section 1315 of Title 20 of the Oklahoma  
17 Statutes.

18 E. In addition to the amount collected pursuant to paragraphs ~~±~~  
19 2 through 6 of subsection A of this section, the sum of Ten Dollars  
20 (\$10.00) shall be assessed and credited to the Sheriff's Service Fee  
21 Account in the county in which the conviction occurred for the  
22 purpose of enhancing existing or providing additional courthouse  
23 security.

24

1 F. In addition to the amounts collected pursuant to paragraphs  
2 ± 2 through 6 of subsection A of this section, the sum of Three  
3 Dollars (\$3.00) shall be assessed and credited to the Office of the  
4 Attorney General Victim Services Unit.

5 G. In addition to the amounts collected pursuant to paragraphs  
6 ± 2 through 6 of subsection A of this section, the sum of Three  
7 Dollars (\$3.00) shall be assessed and credited to the Child Abuse  
8 Multidisciplinary Account. This fee shall not be used for purposes  
9 of hiring or employing any law enforcement officers.

10 H. Prior to conviction, parties in criminal cases shall not be  
11 required to pay, advance, or post security for the services of a  
12 language interpreter or for the issuance or service of process to  
13 obtain compulsory attendance of witnesses.

14 I. The amounts to be assessed as court costs upon filing of a  
15 case shall be those amounts above-stated in paragraph 3 or 4 of  
16 subsection A and subsection B, C, D and E of this section.

17 J. The fees collected pursuant to this section shall be  
18 deposited into the court fund, except the following:

19 1. A court clerk issuing a misdemeanor warrant is entitled to  
20 ten percent (10%) of the sheriff's service fee, provided for in  
21 paragraph 9 of subsection A of this section, collected on a warrant  
22 referred to the contractor for the misdemeanor warrant notification  
23 program governed by Sections 514.4 and 514.5 of Title 19 of the  
24 Oklahoma Statutes. This ten-percent sum shall be deposited into the

1 issuing Court Clerk's Revolving Fund, created pursuant to Section  
2 220 of Title 19 of the Oklahoma Statutes, of the court clerk issuing  
3 the warrant with the balance of the sheriff's service fee to be  
4 deposited into the Sheriff's Service Fee Account, created pursuant  
5 to the provisions of Section 514.1 of Title 19 of the Oklahoma  
6 Statutes, of the sheriff in the county in which service is made or  
7 attempted. Otherwise, the sheriff's service fee, when collected,  
8 shall be deposited in its entirety into the Sheriff's Service Fee  
9 Account of the sheriff in the county in which service is made or  
10 attempted;

11 2. The sheriff's fee provided for in Section 153.2 of this  
12 title;

13 3. The witness fees paid by the district attorney pursuant to  
14 the provisions of Section 82 of this title which, if collected by  
15 the court clerk, shall be transferred to the district attorney's  
16 office in the county where witness attendance was required. Fees  
17 transferred pursuant to this paragraph shall be deposited in the  
18 district attorney's maintenance and operating expense account;

19 4. The fees provided for in subsection C of this section shall  
20 be forwarded to the District Attorneys Council Revolving Fund to  
21 defray the costs of prosecution; and

22 5. The following amounts of the fees provided for in paragraphs  
23 2, 3, 5 and 6 of subsection A of this section, when collected, shall  
24 be deposited in the Trauma Care Assistance Revolving Fund, created

1 pursuant to the provisions of Section 1-2530.9 of Title 63 of the  
2 Oklahoma Statutes:

3 a. Ten Dollars (\$10.00) of the Ninety-eight-Dollar fee  
4 provided for in paragraph 2 of subsection A of this  
5 section,

6 b. Ten Dollars (\$10.00) of the Ninety-three-Dollar fee  
7 provided for in paragraph 3 of subsection A of this  
8 section,

9 c. One Hundred Dollars (\$100.00) of the Four-Hundred-  
10 Thirty-three-Dollar fee provided for in paragraph 5 of  
11 subsection A of this section, and

12 d. One Hundred Dollars (\$100.00) of the Four-Hundred-  
13 Thirty-three-Dollar fee provided for in paragraph 6 of  
14 subsection A of this section.

15 K. Costs required to be collected pursuant to this section  
16 shall not be dismissed or waived; provided, if the court determines  
17 that a person needing the services of a language interpreter is  
18 indigent, the court may waive all or part of the costs or require  
19 the payment of costs in installments.

20 L. As used in this section, "convicted" means any final  
21 adjudication of guilt, whether pursuant to a plea of guilty or nolo  
22 contendere or otherwise, and any deferred judgment or suspended  
23 sentence.

24

1 M. A court clerk may accept in payment for any fee, fine,  
2 forfeiture payment, cost, penalty assessment or other charge or  
3 collection to be assessed or collected by a court clerk pursuant to  
4 this section a nationally recognized credit card or debit card or  
5 other electronic payment method as provided in paragraph 1 of  
6 subsection B of Section 151 of this title.

7 N. Upon receipt of payment of fines and costs for offenses  
8 charged prior to July 1, 1992, the court clerk shall apportion and  
9 pay Thirteen Dollars (\$13.00) per conviction to the court fund.

10 SECTION 6. AMENDATORY 28 O.S. 2001, Section 153.2, is  
11 amended to read as follows:

12 Section 153.2 In any criminal case in which a defendant is  
13 arrested for a violation of state law, Five Dollars (\$5.00) of the  
14 costs charged in said case as provided for in paragraphs 2 through 6  
15 of subsection A of Section 153 of Title 28 of the Oklahoma Statutes  
16 shall be paid to the Sheriff's Service Fee Account of the sheriff of  
17 the county in which the arrest was made. This fee shall be in  
18 addition to the fee authorized by Section 153 of Title 28 of the  
19 Oklahoma Statutes and shall be used to defer the costs associated  
20 with arrest.

21 SECTION 7. This act shall become effective November 1, 2010.

22  
23 52-2-8262 GRS 12/23/09  
24