

1 STATE OF OKLAHOMA

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

3 SENATE BILL 2300

By: Laster

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6 AS INTRODUCED

7 An Act relating to vehicle registration procedure;
8 amending 11 O.S. 2001, Sections 11-27-113 and 11-28-
9 121, which relate to municipal court procedures;
10 authorizing municipalities to satisfy arrest warrants
11 by certain method; amending Section 11, Chapter 354,
O.S.L. 2004 (47 O.S. Supp. 2009, Section 1143.2),
which relates to duties of motor license agents;
adding certain duty and function for motor license
agents; and providing an effective date.

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

15 SECTION 1. AMENDATORY 11 O.S. 2001, Section 11-27-113,
16 is amended to read as follows:

17 Section 11-27-113. A. Except as otherwise provided for by law,
18 the code of procedure in the municipal court shall be the same as is
19 provided for by law for the trial of misdemeanors. The court shall
20 take judicial notice of state statutes and the ordinances of the
21 municipality in which it is located. Writs and processes of the
22 court may be issued by the judge or clerk thereof to any proper
23 officer. All writs and processes of the municipal court in which a
24 violation of a municipal ordinance is charged shall be directed to

1 the chief of police of the municipality, a county sheriff, or to
2 some other appropriate peace officer. A law enforcement officer of
3 the municipality or county sheriff may serve an arrest warrant
4 issued by the municipal court any place within this state. If the
5 warrant is served by a county sheriff, the municipality shall pay
6 the Sheriff's Service Fee Account a fee of Twenty Dollars (\$20.00).

7 B. The municipal court is authorized to forward a record of all
8 active arrest warrants issued by the court to the Department of
9 Public Safety. The municipality may provide for the satisfaction of
10 an active arrest warrant through a motor license agent pursuant to
11 Section 1143.2 of Title 47 of the Oklahoma Statutes. The Department
12 shall submit any information necessary to the municipality for any
13 warrants satisfied by the Department.

14 SECTION 2. AMENDATORY 11 O.S. 2001, Section 11-28-121,
15 is amended to read as follows:

16 Section 11-28-121. A. The municipal criminal court of record,
17 by and through its clerk or judge, shall have power to issue
18 subpoenas, writs of attachment, and summonses, to administer oaths,
19 to verify complaints and other processes and writs issuable by the
20 district judge in criminal proceedings, and to direct the same to
21 the chief of police or other law enforcement officers. The
22 municipal criminal court of record shall have power to compel
23 obedience to its writs and orders in the same manner and to the same
24 extent as the district court. The municipal criminal court of

1 record shall also have power to issue arrest warrants and search and
2 seizure warrants and to hear and determine proceedings for the
3 confiscation of property used in violation of the ordinances of the
4 municipality. A law enforcement officer of the municipality or a
5 county sheriff may serve an arrest warrant issued by the municipal
6 court any place within this state. If the warrant is served by a
7 county sheriff, the municipality shall pay the Sheriff's Service Fee
8 Account a fee of Twenty Dollars (\$20.00).

9 B. The municipal court is authorized to forward a record of all
10 active arrest warrants issued by the court to the Department of
11 Public Safety. The municipality may provide for the satisfaction of
12 an active arrest warrant through a motor license agent pursuant to
13 Section 1143.2 of Title 47 of the Oklahoma Statutes. The Department
14 shall submit any information necessary to the municipality for any
15 warrants satisfied by the Department.

16 SECTION 3. AMENDATORY Section 11, Chapter 354, O.S.L.
17 2004 (47 O.S. Supp. 2009, Section 1143.2), is amended to read as
18 follows:

19 Section 1143.2 A. In addition to the duties and functions
20 authorized to be performed by motor license agents pursuant to the
21 provisions of the Oklahoma Vehicle License and Registration Act, the
22 Oklahoma Tax Commission is authorized to utilize motor license
23 agents to perform the following duties:

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1 1. Process, receive, and issue permits, licenses, and
2 registration relating to any tax which is payable to, collectible
3 by, or administered by the Tax Commission;

4 2. Accept documents, reports, or returns required to be filed
5 with the Tax Commission and accept payment of remittances required
6 to be made to the Tax Commission as provided by the tax laws of this
7 state;

8 3. Provide information regarding the status of any permit or
9 license issued by the Tax Commission, or the franchise tax status of
10 any corporation, upon written request and subject to the provisions
11 of Section 205 of Title 68 of the Oklahoma Statutes and any other
12 provision of law relating to the confidentiality of records or
13 information; and

14 4. Perform any other duties specified by the Tax Commission
15 relating to the enforcement or administration of any state tax law.

16 B. In addition to the duties and functions authorized to be
17 performed by motor license agents pursuant to the provisions of the
18 Oklahoma Vehicle License and Registration Act, the Department of
19 Public Safety and any municipality shall be authorized to utilize
20 motor license agents to perform the following duties:

21 Direct an applicant that applies for an initial or renewal of a
22 motor vehicle registration, as such initial registration or renewal
23 is required by the Oklahoma Vehicle and License Registration Act, to
24 continue the application process with the Department of Public

1 Safety whenever a motor license agent receives information from the
2 Department of Public Safety that an active arrest warrant has been
3 issued for the applicant. The Department shall provide the
4 applicant with the procedures for satisfying the arrest warrant or
5 warrants when such applicant appears in person at the Department.
6 The applicant for issuance or renewal may then provide to the motor
7 license agent proof authorized by the Department of Public Safety
8 that the arrest warrant has been satisfied.

9 C. Any permit, license, or registration issued by a motor
10 license agent, and any document, report, return, or remittance
11 accepted by a motor license agent, pursuant to the provisions of
12 subsection A of this section, shall be deemed on the date of such
13 issuance or acceptance to have been issued or accepted by the Tax
14 Commission.

15 ~~C.~~ D. In addition to the amounts authorized to be retained by
16 motor license agents pursuant to the provisions of Section 1141.1 of
17 Title 47 of the Oklahoma Statutes, motor license agents shall be
18 entitled to charge and receive fees for duties performed pursuant to
19 the provisions of this section as provided by law.

20 SECTION 4. This act shall become effective November 1, 2010.

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