

1 ENGROSSED HOUSE AMENDMENT

TO

2 ENGROSSED SENATE BILL NO. 1875

By: Holt of the Senate

3 and

4 Banz of the House

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An Act relating to counties and county officers;
defining term; allowing imposition of certain
8 community service program assessment; * * * providing
for creation of community service program assessment
9 revolving funds; limiting purpose; providing for
codification; providing an effective date; and
10 declaring an emergency.

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13 AUTHOR: Add the following House Coauthor: Kern

14 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert

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"An Act relating to counties and county officers;
creating the Safari McDoulett Community Service Act;
17 defining term; allowing imposition of certain
community service program assessment; providing for
18 assessment in certain cases; setting range for
amount of assessment; limiting assessment to certain
19 cases; requiring consideration of certain factors;
providing for assessment on juvenile proceedings;
20 setting range for amount of assessment; limiting
assessment to certain cases; providing for
21 assessment in municipal cases; limiting assessment
to certain cases; setting range for amount of
22 assessment; allowing retention of portion of
assessment by municipal court clerk; providing for
23 creation of community service program assessment
revolving funds; limiting purpose; providing for
24 codification; providing for noncodification;

1 providing an effective date; and declaring an
2 emergency.

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

5 SECTION 1. NEW LAW A new section of law not to be
6 codified in the Oklahoma Statutes reads as follows:

7 This act shall be known and may be cited as the "Safari
8 McDoulett Community Service Act".

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 339.7 of Title 19, unless there
11 is created a duplication in numbering, reads as follows:

12 A. As used in this section, "community service program" means a
13 structured program for offenders sentenced to community service to
14 work in or on any government property and designed to save public
15 funds or improve the community that has been approved by a majority
16 vote of the board of county commissioners of the county.

17 B. In any county in this state that has a community service
18 program the county commissioners may, pursuant to a majority vote of
19 the board of county commissioners of the county, impose a community
20 service program assessment as provided for pursuant to the
21 provisions of this section.

22 C. In every county in which a community service program
23 assessment has been imposed pursuant to subsection B of this
24 section, in addition to the imposition of any costs, penalties or

1 fines imposed pursuant to law by the district court, any person
2 convicted of, pleading guilty or nolo contendere to, or agreeing to
3 a deferred judgment procedure under the provisions set forth in the
4 Oklahoma Statutes for any felony or misdemeanor shall be ordered to
5 pay a community service program assessment of at least Twenty-five
6 Dollars (\$25.00), but not to exceed Two Hundred Fifty Dollars
7 (\$250.00), for each felony or misdemeanor for which the person is
8 ordered to complete community service in the community service
9 program of the county.

10 D. In every county in which a community service program
11 assessment has been imposed pursuant to subsection B of this
12 section, in addition to the imposition of any costs, penalties or
13 fines imposed pursuant to law by the district court, a community
14 service program assessment of at least Twenty-five Dollars (\$25.00),
15 but not to exceed Two Hundred Fifty Dollars (\$250.00), shall be
16 levied by the court against the child at the time the child is
17 adjudicated by the court as a delinquent child or agrees to a
18 deferred adjudication, provided the delinquent child is ordered to
19 complete community service in the community service program of the
20 county.

21 E. In every county in which a community service program
22 assessment has been imposed pursuant to subsection B of this
23 section, in addition to the imposition of any costs, penalties or
24 fines imposed pursuant to law, in any municipal court of record in

1 which the defendant is ordered by the court to pay municipal court
2 costs and to complete community service in the community service
3 program of the county, the court shall levy and collect a community
4 service program assessment of at least Twenty-five Dollars (\$25.00),
5 but not to exceed Two Hundred Fifty Dollars (\$250.00). The
6 municipal court clerk collecting said assessment is authorized to
7 deduct ten percent (10%) of the amount collected for administrative
8 costs.

9 F. All monies collected pursuant to subsections C, D and E of
10 this section shall be forwarded monthly by the applicable court
11 clerk to the community service program assessment revolving fund of
12 the appropriate county created pursuant to subsection G of this
13 section.

14 G. There are hereby created community service program
15 assessment revolving funds in each county in which the county has
16 levied an assessment pursuant to the provisions of subsection B of
17 this section. Each such revolving fund shall be designated for use
18 within the county to operate and administer a community service
19 program and shall consist of all monies generated by such
20 assessment. Monies in such funds shall only be expended for the
21 purposes specifically designated as required by this section. A
22 community service program assessment revolving fund shall be a
23 continuing fund, not subject to fiscal year limitations.

24 SECTION 3. This act shall become effective July 1, 2012.

