

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2682

By: Banz

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7 COMMITTEE SUBSTITUTE

8 An Act relating to counties and county officers;  
9 creating the Safari McDoulett Community Service Act;  
10 defining term; allowing imposition of certain  
11 community service program assessment; providing for  
12 assessment in certain cases; setting range for amount  
13 of assessment; limiting assessment to certain cases;  
14 requiring consideration of certain factors; providing  
15 for assessment on juvenile proceedings; setting range  
16 for amount of assessment; limiting assessment to  
17 certain cases; providing for assessment in municipal  
18 cases; limiting assessment to certain cases; setting  
19 range for amount of assessment; allowing retention of  
20 portion of assessment by municipal court clerk;  
21 providing for creation of community service program  
22 assessment revolving funds; limiting purpose;  
23 providing for codification; providing for  
24 noncodification; providing an effective date; and  
declaring an emergency.

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

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

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

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

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

9 B. In any county in this state that has a community service  
10 program the county commissioners may, pursuant to a majority vote of  
11 the board of county commissioners of the county, impose a community  
12 service program assessment as provided for pursuant to the  
13 provisions of this section.

14 C. In every county in which a community service program  
15 assessment has been imposed pursuant to subsection B of this  
16 section, in addition to the imposition of any costs, penalties or  
17 fines imposed pursuant to law by the district court, any person  
18 convicted of, pleading guilty or nolo contendere to, or agreeing to  
19 a deferred judgment procedure under the provisions set forth in the  
20 Oklahoma Statutes for, any felony or misdemeanor shall be ordered to  
21 pay a community service program assessment of at least Twenty-five  
22 Dollars (\$25.00), but not to exceed Two Hundred Fifty Dollars  
23 (\$250.00), for each felony or misdemeanor for which the person is  
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1 ordered to complete community service in the community service  
2 program of the county.

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

14 E. In every county in which a community service program  
15 assessment has been imposed pursuant to subsection B of this  
16 section, in addition to the imposition of any costs, penalties or  
17 fines imposed pursuant to law, in any municipal court of record in  
18 which the defendant is ordered by the court to pay municipal court  
19 costs and to complete community service in the community service  
20 program of the county, the court shall levy and collect a community  
21 service program assessment of at least Twenty-five Dollars (\$25.00),  
22 but not to exceed Two Hundred Fifty Dollars (\$250.00). The  
23 municipal court clerk collecting said assessment is authorized to  
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1 deduct ten percent (10%) of the amount collected for administrative  
2 costs.

3 F. All monies collected pursuant to subsections C, D and E of  
4 this section shall be forwarded monthly by the applicable court  
5 clerk to the community service program assessment revolving fund of  
6 the appropriate county created pursuant to subsection G of this  
7 section.

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

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

19 SECTION 4. It being immediately necessary for the preservation  
20 of the public peace, health and safety, an emergency is hereby  
21 declared to exist, by reason whereof this act shall take effect and  
22 be in full force from and after its passage and approval.

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