

1 ENGROSSED HOUSE
2 BILL NO. 2682

By: Banz, Stiles and Kern of
the House

3 and

4 Holt of the Senate
5
6

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