

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 967

By: Brecheen

4
5 AS INTRODUCED

6 An Act relating to traffic citation fees; amending 20
7 O.S. 2001, Sections 1313.2, as last amended by
8 Section 1, Chapter 442, O.S.L. 2009, 1313.3, as last
9 amended by Section 1, Chapter 556, O.S.L. 2004,
10 1313.4, as amended by Section 3, Chapter 224, O.S.L.
11 2003, and 1313.5, as amended by Section 2, Chapter
12 354, O.S.L. 2004 (20 O.S. Supp. 2010, Sections
13 1313.2, 1313.3, 1313.4 and 1313.5), which relate to
14 fees in addition to fines; modifying amounts of
15 various fees pertaining to certain fine; directing
16 certain amounts to be deposited in certain funds;
17 amending 28 O.S. 2001, Section 153, as last amended
18 by Section 21, Chapter 3, O.S.L. 2008 (28 O.S. Supp.
19 2010, Section 153), which relates to costs in
20 criminal cases; modifying amounts of various fees
21 pertaining to certain fine; and providing an
22 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.
2010, 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 Except as otherwise provided in this subsection, any
5 person convicted of an offense, including traffic offenses but
6 excluding parking and standing violations, punishable by a fine of
7 ~~Ten Dollars (\$10.00) or more~~ or by incarceration, or any person
8 forfeiting bond when charged with such an offense, shall be ordered
9 by the court to pay Nine Dollars (\$9.00) as a separate fee, which
10 fee shall be in addition to and not in substitution for any and all
11 fines and penalties otherwise provided for by law for such offense.
12 Any person convicted of an offense pursuant to paragraph 1 of
13 subsection A of Section 153 of Title 28 of the Oklahoma Statutes
14 shall be ordered by the court to pay Five Dollars (\$5.00) as a
15 separate fee, which fee shall be in addition to and not in
16 substitution for any and all fines and penalties otherwise provided
17 for by law for such offense.

18 C. 1. Any person convicted of any misdemeanor or felony
19 offense shall pay a Laboratory Analysis Fee in the amount of One
20 Hundred Fifty Dollars (\$150.00) for each offense if forensic science
21 or laboratory services are rendered or administered by the Oklahoma
22 State Bureau of Investigation, by the Toxicology Laboratory of the
23 Office of the Chief Medical Examiner or by any municipality or
24 county in connection with the case. This fee shall be in addition

1 to and not a substitution for any and all fines and penalties
2 otherwise provided for by law for this offense.

3 2. The court clerk shall cause to be deposited the amount of
4 One Hundred Fifty Dollars (\$150.00) as collected, for every
5 conviction as described in this subsection. The court clerk shall
6 remit the monies in the fund on a monthly basis directly either to:

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

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

20 c. the appropriate municipality or county for services
21 rendered or administered by a municipality or county.

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

24 a. providing criminalistic laboratory services,

- 1 b. the purchase and maintenance of equipment for use by
2 the laboratory in performing analysis,
3 c. education, training, and scientific development of
4 Oklahoma State Bureau of Investigation personnel, and
5 d. the destruction of seized property and chemicals as
6 prescribed in Sections 2-505 and 2-508 of Title 63 of
7 the Oklahoma Statutes.

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

1 (10%) shall be deposited in the General Revenue Fund. Beginning
2 January 1, 2001, sixty and fifty-three one-hundredths percent
3 (60.53%) of the monies received by the Council on Law Enforcement
4 Education and Training from the court clerks pursuant to this
5 section shall be deposited in the CLEET Fund created pursuant to
6 subsection G of this section, five and eighty-three one-hundredths
7 percent (5.83%) shall be deposited in the General Revenue Fund and
8 thirty-three and sixty-four one-hundredths percent (33.64%) shall be
9 deposited in the CLEET Training Center Revolving Fund created
10 pursuant to Section 3311.6 of Title 70 of the Oklahoma Statutes.
11 Along with the deposits required by this subsection, each court
12 shall also submit a report stating the total amount of funds
13 collected and the total number of fees imposed during the preceding
14 quarter. The report may be made on computerized or manual
15 disposition reports.

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

1 prosecution training. The court clerk of any such municipality or
2 county shall furnish to the Council on Law Enforcement Education and
3 Training the report required by subsection D of this section.

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

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

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

24

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

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

13 3. The monies from the DNA sample fee deposited into the OSBI
14 Revolving Fund shall be used for creating, staffing, and maintaining
15 the OSBI DNA Laboratory and OSBI Combined DNA Index System (CODIS)
16 Database.

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

24

1 SECTION 2. AMENDATORY 20 O.S. 2001, Section 1313.3, as
2 last amended by Section 1, Chapter 556, O.S.L. 2004 (20 O.S. Supp.
3 2010, Section 1313.3), is amended to read as follows:

4 Section 1313.3. A. ~~In~~ Except as otherwise provided in this
5 subsection, in addition to the fees imposed by Sections 1313.2 and
6 1313.4 of this title, any person convicted of any offense, including
7 traffic offenses but excluding parking and standing violations,
8 punishable by a fine ~~of Ten Dollars (\$10.00) or more~~ or by
9 incarceration, or any person forfeiting bond when charged with such
10 offense, shall be ordered by the court to pay a fingerprinting fee
11 in the amount of Five Dollars (\$5.00) for each offense for the
12 A.F.I.S. Fund created by Section 150.25 of Title 74 of the Oklahoma
13 Statutes. The fee shall be in addition to and not in substitution
14 for any and all fines and penalties otherwise provided for by law
15 for the offense. The fee shall be collected at the same time as the
16 fees provided for in Section 1313.2 of this title. Four Dollars and
17 fifty cents (\$4.50) of each fee received pursuant to this section
18 shall be paid directly to the A.F.I.S. Fund and the balance shall be
19 deposited in the General Revenue Fund by the court clerk. The
20 payments shall be made to the appropriate fund by the court clerk on
21 a monthly basis as set forth by subsection H of Section 1313.2 of
22 this title. Any person convicted of an offense pursuant to
23 paragraph 1 of subsection A of Section 153 of Title 28 of the
24 Oklahoma Statutes shall be ordered by the court to pay Three Dollars

1 (\$3.00) for each offense and the fee shall be in addition to and not
2 in substitution for any and all fines and penalties otherwise
3 provided for by law for such offense. The fee shall be collected at
4 the same time as the fees provided for in Section 1313.2 of this
5 title. One Dollar (\$1.00) of each fee amount received pursuant to
6 this section shall be paid directly to the A.F.I.S. Fund and the
7 balance shall be deposited in the General Revenue Fund by the court
8 clerk. The payments shall be made to the appropriate fund by the
9 court clerk on a monthly basis as set forth by subsection H of
10 Section 1313.2 of this title.

11 B. 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 judgment or suspended sentence; and

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

17 SECTION 3. AMENDATORY 20 O.S. 2001, Section 1313.4, as
18 amended by Section 3, Chapter 224, O.S.L. 2003 (20 O.S. Supp. 2010,
19 Section 1313.4), is amended to read as follows:

20 Section 1313.4. A. ~~In~~ Except as otherwise provided in this
21 subsection, in addition to the penalty assessments and fees imposed
22 by Sections 1313.2 and 1313.3 of this title, any person convicted of
23 any offense, including traffic offenses, but excluding parking and
24 standing violations, punishable by a fine ~~of Ten Dollars (\$10.00) or~~

1 ~~more~~ or by incarceration, or any person forfeiting any bond when
2 charged with any offense, shall be ordered by the court to pay a
3 Forensic Science Improvement Assessment in the amount of Five
4 Dollars (\$5.00) for each offense. The assessment shall be in
5 addition to, and not in substitution for, any and all fines and
6 penalties otherwise provided by law for the offense. The assessment
7 shall be collected at the time and in the manner as the fees
8 provided for in Sections 1313.2 and 1313.3 of this title. Each
9 municipal court clerk is authorized to retain five percent (5%) of
10 the assessment collected by each municipal court clerk pursuant to
11 the provisions of this section. All court clerks shall send the
12 assessments collected to the Oklahoma State Bureau of Investigation
13 for deposit into the Forensic Science Improvement Revolving Fund
14 created by Section 150.35 of Title 74 of the Oklahoma Statutes less
15 any amount authorized to be retained. The deposits of funds
16 collected pursuant to the provisions of this section shall be due
17 and payable as required in subsection H of Section 1313.2 of this
18 title. Any funds deposited as required by this section shall be
19 listed as a separate item from other deposits made pursuant to
20 Sections 1313.2 and 1313.3 of this title. Any person convicted of
21 an offense pursuant to paragraph 1 of subsection A of Section 153 of
22 Title 28 of the Oklahoma Statutes shall be ordered by the court to
23 pay Three Dollars (\$3.00) for each offense and the fee shall be in
24 addition to and not in substitution for any and all fines and

1 penalties otherwise provided for by law for such offense. The fee
2 shall be collected at the same time as the fees provided for in
3 Sections 1313.2 and 1313.3 of this title. Each municipal court
4 clerk is authorized to retain five percent (5%) of the assessment
5 collected by each municipal court clerk pursuant to the provisions
6 of this section. All court clerks shall send the assessments
7 collected to the Oklahoma State Bureau of Investigation for deposit
8 into the Forensic Science Improvement Revolving Fund created by
9 Section 150.35 of Title 74 of the Oklahoma Statutes less any amount
10 authorized to be retained. The deposits of funds collected pursuant
11 to the provisions of this section shall be due and payable as
12 required in subsection H of Section 1313.2 of this title. Any funds
13 deposited as required by this section shall be listed as a separate
14 item from other deposits made pursuant to Sections 1313.2 and 1313.3
15 of this title.

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

18 SECTION 4. AMENDATORY 20 O.S. 2001, Section 1313.5, as
19 amended by Section 2, Chapter 354, O.S.L. 2004 (20 O.S. Supp. 2010,
20 Section 1313.5), is amended to read as follows:

21 Section 1313.5. A. As used in this section:

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

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

3 B. ~~In~~ Except as otherwise provided in this subsection, in
4 addition to any other penalty assessment imposed by law, any person
5 convicted of any traffic offense punishable pursuant to Title 47 of
6 the Oklahoma Statutes, but excluding a conviction for a violation of
7 Section 11-901, 11-902, 11-1112, 11-1114 or 12-417 of Title 47 of
8 the Oklahoma Statutes, and paragraph 1 of subsection A of Section
9 153 of Title 28 of the Oklahoma Statutes, and excluding parking and
10 standing violations, or any person forfeiting bond when charged with
11 such an offense, shall be ordered by the court to pay a fee of
12 Twenty Dollars (\$20.00) as a separate penalty assessment. The
13 assessment and fee shall be in addition to and not in substitution
14 for any and all fines and penalties otherwise provided for by law
15 for such offense. Any person convicted of an offense pursuant to
16 paragraph 1 of subsection A of Section 153 of Title 28 of the
17 Oklahoma Statutes shall be ordered by the court to pay Ten Dollars
18 (\$10.00) for each offense and the fee shall be in addition to and
19 not in substitution for any and all fines and penalties otherwise
20 provided for by law for such offense.

21 C. The fee fees shall be collected at the same time and in the
22 same manner as the penalty assessments provided for in Sections
23 1313.2 and 1313.3 of this title. Each court clerk is authorized to
24 retain all interest accrued thereon prior to the due date for

1 deposits as provided in this subsection. The court clerk shall
2 deposit the fee fees collected pursuant to this section in the
3 account provided for in subsection D of Section 1313.2 of this
4 title, and the amounts imposed by this section shall be forwarded
5 monthly in one check or draft to the Department of Public Safety to
6 be deposited in the Department of Public Safety Patrol Vehicle
7 Revolving Fund.

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

11 SECTION 5. AMENDATORY 28 O.S. 2001, Section 153, as last
12 amended by Section 21, Chapter 3, O.S.L. 2008 (28 O.S. Supp. 2010,
13 Section 153), is amended to read as follows:

14 Section 153. A. The clerks of the courts shall collect as
15 costs in every criminal case for each offense of which the defendant
16 is convicted, irrespective of whether or not the sentence is
17 deferred, the following flat charges and no more, except for
18 standing and parking violations and for charges otherwise provided
19 for by law, which fee shall cover docketing of the case, filing of
20 all papers, issuance of process, warrants, orders, and other
21 services to the date of judgment:

- 22 1. For each defendant convicted of
23 exceeding the speed limit by at least
24 one (1) mile per hour but not more

- 1 5. For each defendant convicted of the
2 misdemeanor of driving under the
3 influence of alcohol or other
4 intoxicating substance, whether charged
5 individually or conjointly with others..... \$433.00
- 6 6. For each defendant convicted of the
7 felony of driving under the influence
8 of alcohol or other intoxicating
9 substance, whether charged
10 individually or conjointly with others.....\$433.00
- 11 7. For the services of a court reporter at
12 each preliminary hearing and trial
13 held in the case.....\$20.00
- 14 8. For each time a jury is requested.....\$30.00
- 15 9. A sheriff's fee for serving or
16 endeavoring to serve each writ,
17 warrant, order, process, command, or
18 notice or pursuing any fugitive from
19 justice
- 20 a. within the county..... \$50.00, or
21 mileage as
22 established by the
23 Oklahoma Statutes,
24

1 offense in paragraph 1 of subsection A of this section, for which
2 the sum of Twelve Dollars (\$12.00) shall be assessed and collected;
3 the sum of Fifteen Dollars (\$15.00) shall be assessed and collected
4 in every misdemeanor case for each offense for driving under the
5 influence of alcohol or other intoxicating substance; the sum of
6 Twenty-five Dollars (\$25.00) shall be assessed and collected in
7 every felony case for each offense; and the sum of Twenty-five
8 Dollars (\$25.00) shall be assessed and collected in every felony
9 case for each offense for driving under the influence of alcohol or
10 other intoxicating substance.

11 D. In addition to the amounts collected pursuant to subsections
12 A and B of this section, except for paragraph 1 of subsection A of
13 this section, the sum of Twenty-five Dollars (\$25.00) shall be
14 assessed and credited to the Oklahoma Court Information System
15 Revolving Fund created pursuant to Section 1315 of Title 20 of the
16 Oklahoma Statutes. For amounts collected pursuant to paragraph 1 of
17 subsection A of this section, the sum of Twenty Dollars (\$20.00)
18 shall be assessed and credited in the same manner provided in this
19 subsection.

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

1 security. In addition to the amount collected pursuant to paragraph
2 1 of subsection A of this section, the sum of Eight Dollars (\$8.00)
3 shall be assessed and credited in the same manner provided in this
4 subsection.

5 F. 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 Office of the
8 Attorney General Victim Services Unit. In addition to the amount
9 collected pursuant to paragraph 1 of subsection A of this section,
10 the sum of Two Dollars (\$2.00) shall be assessed and credited in the
11 same manner provided in this subsection.

12 G. In addition to the amounts collected pursuant to paragraphs
13 ± 2 through 6 of subsection A of this section, the sum of Three
14 Dollars (\$3.00) shall be assessed and credited to the Child Abuse
15 Multidisciplinary Account. ~~This fee~~ In addition to the amount
16 collected pursuant to paragraph 1 of subsection A of this section,
17 the sum of Two Dollars (\$2.00) shall be assessed and credited in the
18 same manner provided in this subsection. The fees provided for in
19 this subsection shall not be used for purposes of hiring or
20 employing any law enforcement officers.

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

1 I. The amounts to be assessed as court costs upon filing of a
2 case shall be those amounts ~~above stated~~ provided for in paragraph 3
3 or 4 of subsection A and ~~subsection~~ subsections B, C, D and E of
4 this section.

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

7 1. A court clerk issuing a misdemeanor warrant is entitled to
8 ten percent (10%) of the sheriff's service fee, provided for in
9 paragraph 9 of subsection A of this section, collected on a warrant
10 referred to the contractor for the misdemeanor warrant notification
11 program governed by Sections 514.4 and 514.5 of Title 19 of the
12 Oklahoma Statutes. This ten-percent sum shall be deposited into the
13 issuing Court Clerk's Revolving Fund, created pursuant to Section
14 220 of Title 19 of the Oklahoma Statutes, of the court clerk issuing
15 the warrant with the balance of the sheriff's service fee to be
16 deposited into the Sheriff's Service Fee Account, created pursuant
17 to the provisions of Section 514.1 of Title 19 of the Oklahoma
18 Statutes, of the sheriff in the county in which service is made or
19 attempted. Otherwise, the sheriff's service fee, when collected,
20 shall be deposited in its entirety into the Sheriff's Service Fee
21 Account of the sheriff in the county in which service is made or
22 attempted;

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

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

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

10 5. The following amounts of the fees provided for in paragraphs
11 2, 3, 5 and 6 of subsection A of this section, when collected, shall
12 be deposited in the Trauma Care Assistance Revolving Fund, created
13 pursuant to the provisions of Section 1-2530.9 of Title 63 of the
14 Oklahoma Statutes:

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

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

21 c. One Hundred Dollars (\$100.00) of the Four-Hundred-
22 Thirty-three-Dollar fee provided for in paragraph 5 of
23 subsection A of this section, and
24

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

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

9 L. As used in this section, "convicted" means any final
10 adjudication of guilt, whether pursuant to a plea of guilty or nolo
11 contendere or otherwise, and any deferred judgment or suspended
12 sentence.

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

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

22 SECTION 6. This act shall become effective November 1, 2011.

23
24 53-1-1012 MD 1/20/2011 6:09:13 PM