

1 ENGROSSED HOUSE  
2 BILL NO. 1120

By: Cockroft of the House

3 and

4 Sykes of the Senate

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6  
7 An Act relating to counties and county officers;  
8 amending 19 O.S. 2011, Sections 514.4 and 514.5,  
9 which relate to notification of outstanding warrants;  
10 specifying sheriffs are authorized to contract with  
11 certain associations to administer contracts with  
12 certain third parties; modifying distribution of  
13 administrative fee; and providing an effective date.

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

15 SECTION 1. AMENDATORY 19 O.S. 2011, Section 514.4, is  
16 amended to read as follows:

17 Section 514.4 A. Notwithstanding any other section of law, the  
18 county sheriffs of any Oklahoma county may ~~enter into a private~~  
19 ~~contract, pursuant to Section 85.41 of Title 74 of the Oklahoma~~  
20 ~~Statutes. Such contract shall require the contractor to attempt~~  
21 contract with a statewide association of county sheriffs to  
22 administer contracts with third parties attempting to locate and  
23 notify persons of their outstanding misdemeanor or failure-to-pay  
24 warrants. County sheriffs contracting with a statewide association  
of county sheriffs for the administration of third-party contracts

1 may assign their rights and duties regarding these contracts to the  
2 association.

3 B. A person may make payment directly to the court, as allowed  
4 by law, or the contractor shall be authorized to accept payment on  
5 misdemeanor or failure-to-pay warrants by various means including,  
6 but not limited to, payment by phone, mail, or Internet, and in any  
7 payment form including, but not limited to, personal, cashier's,  
8 traveler's, certified, or guaranteed bank check, postal or  
9 commercial money order, nationally recognized credit or a debit  
10 card, or other generally accepted payment form. Any payment  
11 collected and received by the contractor shall be paid within  
12 fifteen (15) days to the court clerk of the entity that issued the  
13 outstanding misdemeanor or failure-to-pay warrant.

14 C. As provided for by this section, a person may pay in lieu of  
15 appearance before the court and such payment accepted by the court  
16 shall constitute a finding of guilty as though a plea of nolo  
17 contendere had been entered by the defendant as allowed by law and  
18 shall function as a written, dated, and signed plea form acceptable  
19 to the court. Such payment shall serve as a written waiver of a  
20 jury trial.

21 D. The court shall release the outstanding misdemeanor or  
22 failure-to-pay warrant upon receipt of all sums due pursuant to said  
23 warrant including the misdemeanor or failure-to-pay warrant,  
24 scheduled fine or sum due, all associated fees, costs and statutory

1 penalty assessments, and the administrative cost pursuant to Section  
2 514.5 of this title.

3 E. The provisions of any contract entered into by a county  
4 sheriff shall be administered by a statewide association of county  
5 sheriffs in Oklahoma. ~~The county sheriff of any Oklahoma county may~~  
6 ~~assign their right to contract to the statewide association~~  
7 ~~administering the provisions of this contract.~~

8 F. The provisions of this section and Section 514.5 of this  
9 title shall be applicable to:

10 1. Any misdemeanor or failure-to-pay warrant issued or relating  
11 to any proceeding pursuant to the State and Municipal Traffic Bail  
12 Bond Procedure Act;

13 2. Any misdemeanor or failure-to-pay warrant issued that allows  
14 a defendant to resolve the matter by payment in lieu of a personal  
15 appearance in court; and

16 3. Any failure-to-pay warrant issued in a criminal case.

17 SECTION 2. AMENDATORY 19 O.S. 2011, Section 514.5, is  
18 amended to read as follows:

19 Section 514.5 A. Misdemeanor or failure-to-pay warrants  
20 referred to the third-party contractor pursuant to Section 514.4 of  
21 this title shall include the addition of an administrative cost of  
22 thirty percent (30%) of the outstanding misdemeanor or failure-to-  
23 pay warrant, scheduled fine or sum due, and all associated fees,  
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costs and statutory penalty assessments. This administrative cost shall not be waived or reduced except by order of the court.

B. The administrative cost reflected in subsection A of this section, when collected, shall be distributed to the ~~association administering the provisions of the contract~~ third-party contractor, a portion of which may be used to compensate the ~~contractor~~ association administering the contract.

C. The monies collected and disbursed shall be audited at least once a year by a firm approved by the State Auditor and Inspector.

SECTION 3. This act shall become effective November 1, 2018.

Passed the House of Representatives the 15th day of March, 2018.

Presiding Officer of the House  
of Representatives

Passed the Senate the            day of            , 2018.

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Presiding Officer of the Senate