

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 56th Legislature (2018)

4   HOUSE BILL 3073

By: Worthen

7                               AS INTRODUCED

8           An Act relating to criminal procedure; amending  
9           Section 2, Chapter 392, O.S.L. 2016 (22 O.S. Supp.  
10          2017, Section 983b), which relates to hearings for  
11          criminal fines, costs and fees; reducing time  
            limitation for reporting requirement, hearing  
            continuances and deferral periods; and providing an  
            effective date.

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

15           SECTION 1.        AMENDATORY        Section 2, Chapter 392, O.S.L.  
16   2016 (22 O.S. Supp. 2017, Section 983b), is amended to read as  
17   follows:

18           Section 983b.   A.   Any person released on parole or released  
19   without parole from a term of imprisonment with the Department of  
20   Corrections shall be required to report ~~at a time not less than one~~  
21   ~~hundred eighty (180)~~ within thirty (30) days after his or her  
22   release from the Department of Corrections to:

23           1.   The district court of the county from which the judgment and  
24   sentence resulting in incarceration arose; and

1        2. All other district courts or municipal courts where the  
2 person owes fines, fees, costs and assessments,  
3 for the purpose of scheduling a hearing to determine the ability of  
4 the person to pay fines, fees, costs or assessments owed by the  
5 person in every felony or misdemeanor criminal case filed in a  
6 district court or criminal case filed in a municipal court of this  
7 state. Such hearing shall be held in accordance with the provisions  
8 of Section VIII of the Rules of the Court of Criminal Appeals, 22  
9 O.S. 2011, Ch. 18, App. A court may for good cause shown or in its  
10 discretion continue such hearing for up to ~~one hundred eighty (180)~~  
11 thirty (30) days.

12        B. In determining the ability of the person to satisfy fines,  
13 fees, costs or assessments owed to a district or municipal court,  
14 the court shall inquire of the person at the time of the hearing  
15 which counties and municipalities the person owes fines, fees, costs  
16 or assessments in every felony or misdemeanor criminal case filed  
17 against the person and shall consider all court-ordered debt,  
18 including restitution and child support, in determining the ability  
19 of the person to pay. The person shall not be required to pay any  
20 outstanding fines, fees, costs or assessments ~~prior to the~~  
21 ~~expiration of the one hundred eighty day period~~ for at least ninety  
22 (90) days after the initial reporting date to the court; provided,  
23 however, the person shall not be precluded from voluntarily making  
24 payment toward the satisfaction of any fines, fees, costs or

1 assessments due and owing to a district or municipal court of this  
2 state.

3 C. The Court of Criminal Appeals shall promulgate rules  
4 governing the provisions of this section including, but not limited  
5 to:

6 1. Reporting, hearing and payment requirements as provided for  
7 in subsections A and B of this section;

8 2. Consolidating district and municipal court fines, fees,  
9 costs or assessments owed by a person into one order for payment;  
10 and

11 3. Accepting and distributing payments received for fines,  
12 fees, costs or assessments to various district and municipal courts  
13 when consolidated by the court into one order for payment.

14 SECTION 2. This act shall become effective November 1, 2018.

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16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/07/2018 - DO  
17 PASS.

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