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February 13, 2017

AS AMENDED

SENATE BILL NO. 340

By: Holt of the Senate

and

Hall of the House

An Act relating to fines and costs; amending 11 O.S. 2011, Section 28-124, which relates to imprisonment for nonpayment of fines; allowing certain discretion for repayment of fines and costs; and providing an effective date.

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

SECTION 1. AMENDATORY 11 O.S. 2011, Section 28-124, is amended to read as follows:

Section 28-124. Any person who shall be convicted in the municipal criminal court of record of a violation of any ordinance of the city and sentenced to pay a fine and costs, who is financially able but refuses or neglects to pay such fine and costs, shall be imprisoned in the jail, farm or workhouse of the city, in the discretion of the court, for one (1) day for each Twenty-five Dollars (\$25.00) of the fine and cost assessed or one (1) day for each Fifty Dollars (\$50.00) of the fine and cost assessed if the person performs useful labor. If the defendant is without means to

1 pay the fine or costs, the municipal judge may direct the total
2 amount due to be entered upon the court minutes and to be certified
3 to the district court in the county where the situs of the municipal
4 government is located where it shall be entered upon the district
5 court judgment docket and shall have the full force and effect of a
6 district court judgment. Thereupon, the same remedies shall be
7 available for the enforcement of the judgment as are available to
8 any other judgment creditor. Further, if the defendant is without
9 means to pay the fine or costs, and no undue hardship would result,
10 the municipal judge may direct the defendant to perform community
11 service at a rate of not less than the current federal minimum wage.

12 SECTION 2. This act shall become effective November 1, 2017.

13 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT
14 February 13, 2017 - DO PASS AS AMENDED
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