

BILL SUMMARY
1st Session of the 57th Legislature

Bill No.:	HB 2218
Version:	CS
Request Number:	8291
Author:	Rep. May
Date:	3/7/2019
Impact:	AOC: possible revenue loss/minimal District Attorneys: loss of revenue

Research Analysis

The committee substitute to HB 2218 directs the court to waive outstanding fines, court costs and fees if the person has secured admission to and is enrolled in an institution that is a technology center school, workforce training program or member of The Oklahoma State System of Higher Education. Upon the completion of each forty-hour work week, the court shall waive the fines, court costs and fees based on the equivalent value of the potential gross income of the person as determined by the minimum wage of the state. The measure limits district attorney supervision to no more than 2 years. Directs the DA to waive all or part of the supervision fee in hardship cases. The measure allows for the earning of credit during probation for certain offenders. The measure allows offenders to establish a payment plan for fines, fees and court costs. The measure directs the court to consider the employment status of an offender when making a determination as to whether to revoke or continue the offender on probation and may sentence the offender to weekend incarceration. The measure limits deferred sentences to four years and community supervision to one year.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 2218, which deals with waiving court fines/fees and DA supervision for certain offenders, upon review and with consultation from the Administrative Office of the Courts (AOC) it is determined to have an impact on collections to the State Judicial Fund. The exact impact is unknown. Revenue from criminal fines and fees is distributed to several agencies within the judicial and public safety areas. It is the opinion of House fiscal staff that the impact will most likely be minimal, as collections from indigent persons are already minimal.

The measure also requires the DA supervision fee to be waived in cases of hardship (already allowed by law) and restricts DA supervision fees to a maximum of 2 years. Currently, the DA supervision fee is a \$40/month per offender unless waived for hardship. The maximum length of a deferred sentence for any crime is 10 years. Limiting this to 2 years can reduce the DA supervision fee collections, however, the exact impact is contingent upon how many individuals are on DA supervision and their sentence lengths. In FY-18, the DAs collected \$11.9 million in supervision fees: 9% of their total operating budget.

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Other Considerations

None.

