

Bill Summary
1st Session of the 57th Legislature

Bill No.:	SB 424
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Bill Analysis

SB 424 requires notice of a hearing to determine if a defendant is willfully refusing to pay a fine, cost, fee or assessment owed to the district court before the district court may send notice of nonpayment. Assessments of indigents are based on discretionary income.

The measure also requires the courts 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 a member of the Oklahoma State System of Higher Education. The courts are also directed to waive fine and fees based on the equivalent value of the potential gross income of the person as determined by the state's minimum wage upon the completion of a forty-hour work week. The Supreme Court, or other than the Court of Criminal Appeals, is directed to promulgate rules governing the structure, distribution, and consolidation of court fees.

SB 424 requires district attorneys to waive all fees associated with district attorney supervision in hardship cases. The measure directs the courts to require all providers that supervise persons to use the sanctions and incentives process as it relates to probationer behavior. Certain participants enumerated in the measure within the supervision program are made eligible for discharge credits that reduce the period of supervision and the term of the sentence for compliance with the terms of supervision. Any person ordered to pay a fine or assessment may request a hearing to determine a payment plan. The plan will be determined by assessing the discretionary income of the person.

The measure requires all any court holding a revocation hearing for any probationer to hold the hearing within twenty calendar days of from the date the summons is issued. The court must consider the employment status of the probationer as it determines the status of the probation. The measure outlines specific guidelines to the court as it relates to modifying the probation. Only if the severity of a violation warrants a more severe response, intermediate sanctions within the sanctions matrix have been exhausted, and the noncompliant behavior has continued, can the Department of Corrections request a revocation of the probation.

The measure caps community supervision programs for deferred judgement to one year. Current law allows the supervision to continue up to eighteen months.

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