

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 193, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Rader

Rader-MR-FS-Req#1923
3/2/2021 3:25 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 193

By: Rader of the Senate

and

May of the House

FLOOR SUBSTITUTE

[counties and county officers - fines and penalties
- repeat violations - effective date]

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

SECTION 1. AMENDATORY 19 O.S. 2011, Section 863.13A, is
amended to read as follows:

Section 863.13A. A. A board of county commissioners may
provide for enforcement of its regulations and establish fines,
penalties or other remedies for any offense in violation of its
regulations, which shall be recoverable together with costs of suit.

B. 1. In addition to other powers and duties prescribed by
law, a board of county commissioners shall have the power to
establish and enforce fines and penalties for violation of its
zoning, subdivision, storm water ~~and~~, floodplain, health inspection,
property maintenance and building regulations, including the

1 issuance of citations by designated county personnel for violations
2 of its zoning, subdivision, storm water ~~and,~~ floodplain, health
3 inspection, property maintenance and building regulations. ~~A board~~
4 ~~of county commissioners may additionally establish that any person~~
5 ~~who fails to correct a violation for which a citation has been~~
6 ~~issued within the period permitted for its correction may be~~
7 ~~assessed a fine or penalty for each ensuing day during which such~~
8 ~~failure or violation continues.~~

9 2. In issuing a citation pursuant to this subsection, the
10 county employee shall proceed as follows:

- 11 a. the employee shall prepare a written citation to
12 appear in court, containing the name and address of
13 the cited person and the violation/offense charged,
14 and stating when the person shall appear in district
15 court. The time to appear specified in the citation
16 shall be at least five (5) days after the issuance of
17 the citation,
- 18 b. one copy of the citation ~~to appear~~ shall be delivered
19 to the person cited, and ~~such person shall sign a~~
20 duplicate written citation ~~which~~ shall be retained by
21 the county employee, and
- 22 c. as soon as practicable, one copy of the citation shall
23 be filed with the district court specified therein and
24 one copy delivered to the prosecuting attorney. The

1 delivery may be delivered personally, or by certified
2 mail or registered mail, to the address on file with
3 the county assessor's office or the last-known
4 address, or posted in a conspicuous place in or about
5 the property where the violation occurred.

6 3. If a person fails to appear in district court ~~at~~ or pay by
7 the designated time, a warrant for arrest shall be issued.

8 4. Violations and penalties shall be deemed misdemeanor
9 offenses, punishable by a fine of up to Five Hundred Dollars
10 (\$500.00). Repeated violations on the cited property may result in
11 additional fines up to Two Hundred Fifty Dollars (\$250.00) per
12 violation. Jurisdiction is hereby conferred upon the district court
13 within the county.

14 5. Fines and penalties collected pursuant to this subsection
15 shall be deposited in the appropriate county fund.

16 6. Issuance of citations and/or payment of fines or penalties
17 shall in no way preclude other remedies or appropriate action or
18 proceedings to prevent or remove a violation.

19 7. In the event a citation designates a scheduled fine due for
20 the violation stated on the citation, and the fine is the sole
21 penalty for the violation, in lieu of a court appearance the
22 recipient of the citation may pay the fine; provided, the fine and
23 any associated costs shall be paid in full and payment must be
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1 received by the court prior to the date of the scheduled court
2 appearance.

3 SECTION 2. This act shall become effective November 1, 2021.

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5 58-1-1923 MR 3/2/2021 3:25:45 PM

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