

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3285

By: Humphrey

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6 AS INTRODUCED

7 An Act relating to criminal procedure; amending 22
8 O.S. 2021, Section 991d, which relates to supervision
9 fees; directing the district attorney to waive
supervision fee under certain circumstances; and
providing an effective date.

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

13 SECTION 1. AMENDATORY 22 O.S. 2021, Section 991d, is
14 amended to read as follows:

15 Section 991d. A. 1. When the court orders supervision by the
16 Department of Corrections, or the district attorney requires the
17 Department to supervise any person pursuant to a deferred
18 prosecution agreement, the person shall be required to pay a
19 supervision fee of Forty Dollars (\$40.00) per month during the
20 supervision period, unless the fee would impose an unnecessary
21 hardship on the person. In hardship cases, the Department shall
22 expressly waive all or part of the fee. The court shall make
23 payment of the fee a condition of the sentence which shall be
24 imposed whether the supervision is incident to the suspending of

1 execution of a sentence, incident to the suspending of imposition of
2 a sentence, or incident to the deferral of proceedings after a
3 verdict or plea of guilty. The Department shall determine methods
4 for payment of supervision fee, and may charge a reasonable user fee
5 for collection of supervision fees electronically. The Department
6 is required to report to the sentencing court any failure of the
7 person to pay supervision fees and to report immediately if the
8 person violates any condition of the sentence.

9 2. When the court imposes a suspended or deferred sentence for
10 any offense and does not order supervision by the Department of
11 Corrections, the offender shall be required to pay to the district
12 attorney a supervision fee of Forty Dollars (\$40.00) per month as a
13 fee to compensate the district attorney for the actual act of
14 supervising the offender during the applicable period of
15 supervision. In hardship cases, the district attorney shall
16 expressly waive all or part of the supervision fee. If the offender
17 is participating in an alternative court program, the district
18 attorney shall expressly waive all of the supervision fee. Any fees
19 collected by the district attorney pursuant to this paragraph shall
20 be deposited in the General Revenue Fund of the State Treasury.

21 3. If restitution is ordered by the court in conjunction with
22 supervision, the supervision fee will be paid in addition to the
23 restitution ordered. In addition to the restitution payment and
24 supervision fee, a reasonable user fee may be charged by the

1 Department of Corrections to cover the expenses of administration of
2 the restitution, except no user fee shall be collected by the
3 Department when restitution payment is collected and disbursed to
4 the victim by the office of the district attorney as provided in
5 Section 991f of this title or Section 991f-1.1 of this title.

6 B. The Pardon and Parole Board shall require a supervision fee
7 to be paid by the parolee as a condition of parole which shall be
8 paid to the Department of Corrections. The Department shall
9 determine the amount of the fee as provided for other persons under
10 supervision by the Department.

11 C. Upon acceptance of an offender by the Department of
12 Corrections whose probation or parole supervision was transferred to
13 Oklahoma through the Interstate Compact Agreement, or upon the
14 assignment of an inmate to any community placement, a fee shall be
15 required to be paid by the offender to the Department of Corrections
16 as provided for other persons under supervision of the Department.

17 D. Except as provided in subsection A of this section and this
18 subsection, all fees collected pursuant to this section shall be
19 deposited in the Department of Corrections Revolving Fund created
20 pursuant to Section 557 of Title 57 of the Oklahoma Statutes. For
21 the fiscal year ending June 30, 1996, fifty percent (50%) of all
22 collections received from offenders placed on supervision after July
23 1, 1995, shall be transferred to the credit of the General Revenue
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1 Fund of the State Treasury until such time as total transfers equal
2 Three Million Three Hundred Thousand Dollars (\$3,300,000.00).

3 SECTION 2. This act shall become effective November 1, 2022.
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5 58-2-9461 GRS 12/27/21
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