

1 **SENATE FLOOR VERSION**

2 March 2, 2022

3 COMMITTEE SUBSTITUTE
4 FOR
5 SENATE BILL NO. 1532

By: Daniels of the Senate

and

Talley of the House

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9 [criminal fines, costs, and fees - waiver of
10 outstanding court fines, costs, and fees under
11 certain circumstances - effective date]

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

14 SECTION 1. AMENDATORY 22 O.S. 2021, Section 983a, is
15 amended to read as follows:

16 Section 983a. A. On or after November 1, ~~2016~~ 2022, the court
17 shall ~~have the authority to~~ waive all outstanding fines, court
18 costs, and fees in a criminal case for any person who:

19 1. Served a period of imprisonment in the custody of the
20 Department of Corrections after conviction for a crime;

21 2. Has been released from the custody of the Department of
22 Corrections;

1 3. Has complied with all probation or supervision requirements
2 since being released from the custody of the Department of
3 Corrections; and

4 4. Has made installment payments on outstanding fines, court
5 costs, fees, and restitution ordered by the court on a timely basis
6 every month for the previous twenty-four (24) months following
7 release from the custody of the Department of Corrections including
8 any payments made prior to the effective date of this act.

9 B. On or after November 1, 2022, the court shall waive all
10 outstanding fines, court costs, and fees in a criminal case for any
11 person who has made installment payments on outstanding fines, court
12 costs, fees, and restitution ordered by the court on a timely basis
13 for forty-eight (48) months in the previous sixty-month period
14 including any payments made prior to the effective date of this act.
15 To be eligible for a waiver pursuant to this subsection, the person
16 shall have complied with all probation or supervision requirements
17 as ordered by the court.

18 C. The provisions of this section shall not apply to amounts
19 owed by the person for restitution to a victim pursuant to a court
20 order or child support obligations pursuant to a court order.

21 SECTION 2. AMENDATORY 22 O.S. 2021, Section 983b, is
22 amended to read as follows:

23 Section 983b. A. Any person released on parole or released
24 without parole from a term of imprisonment with the Department of

1 Corrections shall be required to report at a time not less than one
2 hundred eighty (180) days after his or her release from the
3 Department of Corrections to:

4 1. The district court of the county from which the judgment and
5 sentence resulting in incarceration arose; and

6 2. All other district courts or municipal courts where the
7 person owes fines, fees, costs, and assessments,
8 for the purpose of scheduling a hearing to determine the ability of
9 the person to pay fines, fees, costs, or assessments owed by the
10 person in every felony or misdemeanor criminal case filed in a
11 district court or criminal case filed in a municipal court of this
12 state. Such hearing shall be held in accordance with the provisions
13 of Section VIII of the Rules of the Court of Criminal Appeals, 22
14 O.S. 2011, Ch. 18, App. A court may for good cause shown or in its
15 discretion continue such hearing for up to one hundred eighty (180)
16 days.

17 B. In determining the ability of the person to satisfy fines,
18 fees, costs, or assessments owed to a district or municipal court,
19 the court shall inquire of the person at the time of the hearing
20 which counties and municipalities the person owes fines, fees,
21 costs, or assessments in every felony or misdemeanor criminal case
22 filed against the person and shall consider all court-ordered debt,
23 including restitution and child support, in determining the ability
24 of the person to pay. The person shall not be required to pay any

1 outstanding fines, fees, costs, or assessments prior to the
2 expiration of the one-hundred-eighty-day period; provided, however,
3 the person shall not be precluded from voluntarily making payment
4 toward the satisfaction of any fines, fees, costs, or assessments
5 due and owing to a district or municipal court of this state.

6 C. On or after November 1, 2022, the court shall waive all
7 outstanding district or municipal court fines, court costs, and fees
8 in a criminal case for any person who has made installment payments
9 pursuant to the requirements of Section 983a of this title.

10 D. The Court of Criminal Appeals shall promulgate rules
11 governing the provisions of this section including, but not limited
12 to:

13 1. Reporting, hearing and payment requirements as provided for
14 in subsections A and B of this section;

15 2. Consolidating district and municipal court fines, fees,
16 costs, or assessments owed by a person into one order for payment;
17 and

18 3. Accepting and distributing payments received for fines,
19 fees, costs or assessments to various district and municipal courts
20 when consolidated by the court into one order for payment.

21 SECTION 3. This act shall become effective November 1, 2022.

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
23 March 2, 2022 - DO PASS AS AMENDED
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