

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3426

By: Osburn

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6 AS INTRODUCED

7 An Act relating to municipal courts; authorizing
8 contracts for the collection of outstanding fines and
9 fees; authorizing contractors to collect fines and
10 fees; permitting payment in lieu of court appearance;
11 directing that court shall release fine or fee upon
12 receipt of all sums due; directing that the
13 provisions of contract be administered by a statewide
14 association of municipal governments; providing for
15 codification; and providing an effective date.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 27-133 of Title 11, unless there
19 is created a duplication in numbering, reads as follows:

20 A. Unless otherwise provided in any other section of law, the
21 municipal court of any Oklahoma municipality may contract with a
22 statewide association of municipal governments to administer
23 contracts with third parties attempting to locate and notify persons
24 of their outstanding fines and fees. Municipalities contracting
with a statewide association of municipalities for the

1 administration of third-party contracts may assign their rights and
2 duties regarding these contracts to the association.

3 B. A person may make payment directly to the municipal court,
4 as allowed by law, or the contractor shall be authorized to accept
5 payment on fines or fees by various means including, but not limited
6 to, payment by phone, mail, or Internet, and in any payment form
7 including, but not limited to, personal, cashier's, traveler's,
8 certified, or guaranteed bank check, postal or commercial money
9 order, nationally recognized credit or debit card, or other
10 generally accepted payment form. Any payment collected and received
11 by the contractor shall be paid within fifteen (15) days to the
12 court clerk of the municipal court that issued the fine or fee.

13 C. As provided for by this act, a person may pay the fine or
14 fee in lieu of appearance before the court. Such payment accepted
15 by the court shall constitute a finding of guilty as though a plea
16 of nolo contendere had been entered by the defendant as allowed by
17 law and shall function as a written, dated, and signed plea form
18 acceptable to the court. Such payment shall serve as a written
19 waiver of a jury trial.

20 D. The court shall release the fine or fee upon receipt of all
21 sums due; or upon failure to pay, the court may take action under
22 Section 27-122 of Title 11 of the Oklahoma Statutes.

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1 E. The provisions of any contract entered into by a municipal
2 court shall be administered by a statewide association of municipal
3 governments in Oklahoma.

4 SECTION 2. This act shall become effective November 1, 2022.

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