

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3430 _____ Of the printed Bill
Page _____ Section _____ Lines _____

Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu
thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Jonathan Wilk _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 PROPOSED POLICY
4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3430

7
8 By: Wilk

PROPOSED POLICY COMMITTEE SUBSTITUTE

9 An Act relating to court costs; amending 12 O.S.
10 2021, Section 735, which relates to time limitations
11 for the issuance of judgments; modifying list of
12 exceptions to include certain cost judgments;
13 amending 19 O.S. 2021, Sections 514.4, as last
14 amended by Section 1, Chapter 211, O.S.L. 2024 and
15 514.5, as amended by Section 2, Chapter 247, O.S.L.
16 2023 (19 O.S. Supp. 2025, Sections 514.4 and 514.5),
17 which relate to the court cost compliance program;
18 stating purpose of court cost compliance program;
19 providing statutory reference for defined term;
20 authorizing full payment of costs in lieu of court
21 appearance; prohibiting court cost compliance
22 liaisons from invoicing certain parties for costs
23 associated with enforcing judgments; allowing
24 attorney fees to be retained by court cost compliance
liaisons; amending 22 O.S. 2021, Section 983, as last
amended by Section 2, Chapter 211, O.S.L. 2024 (22
O.S. Supp. 2025, Section 983), which relates to the
payment of fines, costs, and fees in criminal cases;
defining terms; providing hardship waivers when
courts find defendants permanently unable to pay
debts; modifying list of circumstances that presumes
certain defendants are unable to pay debts;
specifying types of contact information to be
provided by defendants; providing for the suspension
of driving privileges under certain circumstances;
directing court clerks to immediately notify the
court when defendants fail to pay court financial
obligations; requiring courts to enter cost
judgments; authorizing courts to order conditions for

1 payment at the initial or subsequent cost hearings;
2 decreasing certain time limitation for delinquent
3 status; directing court clerks to diligently review
4 cases for defaulted payment agreements; requiring
5 court clerks to follow certain procedures when cost
6 judgments have or haven't been entered in cases;
7 deleting summons form; deleting referral provisions;
8 requiring every county to utilize and participate in
9 the court cost compliance program; establishing
10 procedures when defendants default on payment plans;
11 requiring referral to the court cost compliance
12 program; directing court clerks to provide certain
13 information to court cost compliance liaisons;
14 deleting procedures related to the issuance of a
15 Warning/Notice to Appear; deleting procedures
16 relating to cost arrest warrants; deleting custody
17 release requirements for arrested persons; deleting
18 exception for municipal courts and certain warrant
19 fees; deleting privacy requirement for certain
20 supporting documents; deleting willfulness hearings
21 and related procedures; deleting option to suspend
22 driving privileges under certain circumstances;
23 authorizing the addition of administrative fees to
24 court cost obligations; providing procedures for
25 collecting and distributing funds; amending 28 O.S.
26 2021, Section 101, as amended by Section 4, Chapter
27 247, O.S.L. 2023 (28 O.S. Supp. 2025, Section 101),
28 which relates to court financial obligations in
29 criminal cases; making the suspension of driving
30 privileges and driver licenses optional under certain
31 circumstances; directing courts to enter judgments if
32 defendants are unable to pay; establishing procedures
33 when judgments are issued by the court; providing for
34 stays of enforcement; prohibiting stays under certain
35 circumstances; prohibiting judgments from becoming
36 unenforceable; requiring certain information in
37 judgments; and providing an effective date.

38
39 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

40 SECTION 1. AMENDATORY 12 O.S. 2021, Section 735, is

41 amended to read as follows:

1 Section 735. A. A judgment shall become unenforceable and of
2 no effect if, within five (5) years after the date of filing of any
3 judgment that now is or may hereafter be filed in any court of
4 record in this state:

5 1. Execution is not issued by the court clerk and filed with
6 the county clerk as provided in Section 759 of this title;

7 2. A notice of renewal of judgment substantially in the form
8 prescribed by the Administrative Director of the Courts is not filed
9 with the court clerk;

10 3. A garnishment summons is not issued by the court clerk; or

11 4. A certified copy of a notice of income assignment is not
12 sent to a payor of the judgment debtor.

13 B. A judgment shall become unenforceable and of no effect if
14 more than five (5) years have passed from the date of:

15 1. The last execution on the judgment was filed with the county
16 clerk;

17 2. The last notice of renewal of judgment was filed with the
18 court clerk;

19 3. The last garnishment summons was issued; or

20 4. The sending of a certified copy of a notice of income
21 assignment to a payor of the judgment debtor.

22 C. This section shall not apply to cost judgments issued
23 pursuant to Section 101 of Title 28 of the Oklahoma Statutes,

1 | judgments against municipalities, or to child support judgments by
2 | operation of law.

3 SECTION 2. AMENDATORY 19 O.S. 2021, Section 514.4, as
4 last amended by Section 1, Chapter 211, O.S.L. 2024 (19 O.S. Supp.
5 2025, Section 514.4), is amended to read as follows:

6 Section 514.4. A. 1. Effective November 1, 2023, there is
7 hereby established a The court cost compliance program. The purpose
8 of the program shall be has been established to assist county
9 sheriffs and the courts of this state with the collection of fines,
10 costs, fees, and assessments associated with any case in which a
11 warrant has been issued and the case has been referred to the court
12 cost compliance program pursuant to financial obligations as defined
13 in Section 983 of Title 22 of the Oklahoma Statutes.

14 2. County sheriffs of any county in this state may contract
15 with a statewide association of county sheriffs to administer
16 contracts with third parties who shall be known as court cost
17 compliance liaisons. The court cost compliance liaison may assist
18 with attempting to locate and notify persons of their outstanding
19 misdemeanor or cost-related warrants and recover and maintain
20 accounts relating to past due fines, fees, costs, and assessments.
21 County sheriffs contracting with a statewide association of county
22 sheriffs for the administration of third-party contracts may assign
23 their rights and duties regarding these contracts to the
24 association.

1 B. A person may make payment directly to the court, as allowed
2 by law, or the court cost compliance liaison, as allowed, shall be
3 authorized to accept payment on misdemeanor or cost-related warrants
4 on all cases referred pursuant to Section 983 of Title 22 of the
5 Oklahoma Statutes by various means including but not limited to
6 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 a debit card, or other
10 generally accepted payment form. Any payment collected and received
11 by the court cost compliance liaison shall be paid to the court
12 clerk of the court that issued the warrant within fifteen (15) days
13 after receipt of the payment and proof of funds. Any payment
14 collected and received by the court, where the court has referred
15 the case to a court cost compliance liaison, shall be reported to
16 the court cost compliance liaison within four (4) days of receipt of
17 the payment. Any payment returned due to insufficient funds shall
18 have all insufficient fund charges incurred added to the outstanding
19 balance of the defendant. If a credit card payment taken by a court
20 cost compliance liaison is determined to be a fraudulent use of the
21 credit card by the payor and the payment is reversed by the credit
22 card company or payor's bank, the court clerk shall reverse the
23 transaction upon notification, return the payment to the court cost
24 compliance liaison, and the court cost compliance liaison shall

1 continue the collection process until paid. The court clerk shall
2 add any additional fees for the reversal of the transaction plus the
3 administration fees to the outstanding balance of the defendant.
4 Court cost compliance liaisons shall inform individuals of their
5 right to a cost hearing as provided in Section 983 of Title 22 of
6 the Oklahoma Statutes.

7 C. As provided for by this section, a person may ~~pay~~ make
8 payment in full in lieu of appearance before the court and such
9 payment accepted by the court shall constitute a finding of guilt as
10 though a plea of nolo contendere had been entered by the defendant
11 as allowed by law and shall function as a written, dated, and signed
12 plea form acceptable to the court. Such payment shall serve as a
13 written waiver of a jury trial.

14 D. The court shall release or recall the outstanding
15 misdemeanor or cost-related warrant upon receipt of all sums due
16 pursuant to the warrant including the misdemeanor or cost-related
17 warrant, scheduled fine or sum due, all associated fees, costs and
18 statutory penalty assessments, and the administrative cost pursuant
19 to Section 514.5 of this title, or with a mutually agreeable monthly
20 payment plan and a down payment set at the discretion of the court
21 at an amount no less than One Hundred Dollars (\$100.00) or by order
22 of the court. A single down payment shall be sufficient to recall
23 all cost-related warrants against a defendant pending in a single
24 jurisdiction.

1 E. The provisions of any contract entered into by a county
2 sheriff shall be administered by a statewide association of county
3 sheriffs in Oklahoma.

4 F. The provisions of this section and Section 514.5 of this
5 title shall be applicable to:

6 1. Any misdemeanor or cost-related warrant issued pursuant to
7 Section 983 of Title 22 of the Oklahoma Statutes or relating to any
8 proceeding pursuant to the State and Municipal Traffic, Water
9 Safety, and Wildlife Bail Bond Procedure Act;

10 2. Any misdemeanor or cost-related warrant issued that allows a
11 defendant to resolve the matter by payment in lieu of a personal
12 appearance in court; and

13 3. Any cost-related warrant issued in a criminal case.

14 SECTION 3. AMENDATORY 19 O.S. 2021, Section 514.5, as
15 amended by Section 2, Chapter 247, O.S.L. 2023 (19 O.S. Supp. 2025,
16 Section 514.5), is amended to read as follows:

17 Section 514.5. A. Misdemeanor or cost-related warrants or
18 cases referred to the court cost compliance liaison pursuant to
19 Section 514.4 of this title shall include the addition of an
20 administrative cost of thirty percent (30%) of the outstanding
21 misdemeanor or cost-related warrant, scheduled fine or sum due, and
22 all associated fees, costs and statutory penalty assessments. This
23 administrative cost shall not be waived or reduced unless the amount
24 owed is waived or reduced or by order of the court upon good cause.

1 B. The administrative cost reflected in subsection A of this
2 section shall be distributed to the court cost compliance liaison, a
3 portion of which may be used to compensate the statewide association
4 administrating the contract.

5 C. The court cost compliance liaison shall not submit an
6 invoice to the statewide association of county sheriffs, the courts,
7 the court clerk, or any other state agency for third-party costs
8 incurred while seeking to enforce cost judgments. Any statutory
9 post-judgment attorney fees to which the court cost compliance
10 liaison may be entitled shall be retained by the court cost
11 compliance liaison to offset third-party costs incurred to enforce
12 cost judgments.

13 D. The monies collected and disbursed shall be audited at least
14 once a year by a firm approved by the State Auditor and Inspector.

15 SECTION 4. AMENDATORY 22 O.S. 2021, Section 983, as last
16 amended by Section 2, Chapter 211, O.S.L. 2024 (22 O.S. Supp. 2025,
17 Section 983), is amended to read as follows:

18 Section 983. A. As used in this section, unless the context
19 otherwise requires:

20 1. "Administrative cost" means an administrative fee as set
21 forth in Section 514.5 of Title 19 of the Oklahoma Statutes and may
22 include additional costs imposed by the court;

23 2. "Cost arrest warrant" means a warrant authorizing arrest
24 that is issued by a court under the following circumstances:

1 a. failure to comply with the terms of a court financial
2 obligations payment plan,
3 b. failure to appear at a cost hearing or willfulness
4 hearing, or
5 c. failure to appear at the office of the court clerk of
6 the county in which the court financial obligation is
7 owed within ten (10) days of being cited by a law
8 enforcement officer to appear;

9 2. 3. "Cost cite and release warrant" means a warrant issued by

10 a court authorizing citation and release under the following
11 circumstances:

12 a. failure to comply with terms of a court financial
13 obligations payment plan, or
14 b. failure to appear at a cost hearing or willfulness
15 hearing;

16 3. 4. "Cost hearing" means a hearing in which the court

17 determines the ability of a defendant to pay court financial
18 obligations. Once a cost hearing date has been set, all court
19 financial obligations shall be suspended until the cost hearing has
20 been held;

21 5. "Cost judgment" means a judgment entered pursuant to Section
22 101 of Title 28 of the Oklahoma Statutes. A cost judgment is not a
23 civil judgment. A cost judgment shall recite the total amount of

1 the court financial obligations of the defendant, the percentage of
2 the collection fee and amount, and the amount of the collection fee;

3 4. 6. "Court financial obligation" means all financial
4 obligations including fines, costs, fees, and assessments, imposed
5 by the court or required by law to be paid, excluding restitution or
6 payments to be made other than to the court clerk;

7 5. 7. "Payment-in-full" means a court financial payment term
8 that requires the defendant to pay the full amount of court
9 financial obligations owed within ninety (90) days of a plea or
10 sentence in the district court or within thirty (30) days of a plea
11 or sentence in the municipal court;

12 6. 8. "Payment-in-installments" means payment terms for court
13 financial obligations that require the defendant to make monthly
14 payments in any amount until the amount owed is fully paid; and

15 7. 9. "Willfulness hearing" means a hearing in which the court
16 determines whether a defendant who has previously been found to have
17 the ability to pay court financial obligations has willfully failed
18 to pay the debt.

19 B. 1. Except in cases provided for in Section 983b of this
20 title, when the judgment and sentence of a court, either in whole or
21 in part, imposes court financial obligations upon a defendant, the
22 court at the time of sentencing may immediately, or at any point
23 thereafter until the debt is either paid or waived, determine the
24 ability of a defendant to pay the court financial obligations. The

1 court may make such determinations at a cost hearing or upon written
2 motion or affidavit by the defendant. The ability of a defendant to
3 pay court financial obligations may not impact the sentence imposed.

4 2. Defendants with court financial obligations who are found by
5 the court to be permanently unable to pay, in whole or in part,
6 shall be relieved of the debt by the court through a hardship waiver
7 of the court financial obligations, either in whole or in part.

8 3. In determining the ability of a defendant to pay, the court
9 shall consider the following factors:

- 10 a. individual and household income,
- 11 b. household living expenses,
- 12 c. number of dependents,
- 13 d. assets,
- 14 e. child support obligations,
- 15 f. physical or mental health conditions that diminish the
16 ability to generate income or manage resources,
- 17 g. additional case-related expenses to be paid by the
18 defendant, and
- 19 h. any other factors relevant to the ability of the
20 defendant to pay.

21 4. In determining the ability of a defendant to pay, the

22 following shall not be considered as income or assets:

- 23 a. child support income,

1 b. any monies received from a federal, state, or tribal
2 government need-based or disability assistance
3 program, or
4 c. assets exempt from bankruptcy.

5 5. Defendants in the following circumstances are presumed
6 permanently unable to pay and eligible for relief under paragraph 2
7 of this subsection:

8 a. designated as totally disabled by any federal, state,
9 or tribal disability services program including but
10 not limited to military disability, Social Security
11 Disability Insurance, Supplemental Security Income, or
12 tribal disability benefits, and
13 b. ~~receives support from the Temporary Assistance for~~
14 ~~Needy Families program, Supplemental Nutrition~~
15 ~~Assistance Program, the Special Supplemental Nutrition~~
16 ~~Program for Women, Infants, and Children nutrition~~
17 ~~education and supplemental food program, or any other~~
18 ~~federal need based the court determines the defendant~~
19 ~~suffers from a physical or mental health condition~~
20 ~~which permanently diminishes the ability of the~~
21 ~~defendant to generate enough income to pay the~~
22 ~~financial support,~~
23 ~~c. receives subsidized housing support through the~~
24 ~~Housing Choice Voucher program, the United States~~

Department of Housing and Urban Development, or other state, local, or federal government housing subsidy program, or

d. ~~total income is below one hundred fifty percent (150%) of the federal poverty level obligation.~~

6 C. 1. At the time of a plea or sentencing, the court shall
7 inform the defendant of the total court financial obligations owed,
8 and the consequences of failing to pay the court financial
9 obligations, and that the defendant may request a cost hearing if at
10 any time he or she is unable to pay the court financial obligations,
11 ~~at which point the court may waive all or part of the debt owed.~~ If
12 the total amount of court financial obligations owed is not
13 available at the time of the plea or sentencing, the court shall
14 inform the defendant that court financial obligations have been
15 incurred and the time and location where the defendant may learn of
16 the total amount owed.

2. a. The court shall order the defendant to appear immediately after sentencing at the office of the court clerk to provide current contact information and to which shall include the residential address of the defendant, telephone number, cell phone number, and email address. At this time, the defendant shall either select payment terms or request a cost hearing. Failure to immediately report to the court clerk as

1 ordered by the court shall result in the full amount
2 of court financial obligations to be due thirty (30)
3 days from the date of the plea or sentencing in both
4 district ~~courts~~ or thirty (30) days from the date of
5 the plea or sentencing in court and municipal courts
6 court, the suspension of the driving privileges and
7 driver license of the defendant in this state, or in
8 the home state of the defendant if the defendant is a
9 nonresident, pursuant to the Nonresident Violator
10 Compact, and he or she may be subject to punishment
11 for contempt.

12 3-

13 b. Payment terms of court financial obligations may be
14 made ~~under the following terms:~~
15 a. either payment in full, or
16 b. payment in installments.

17 Upon any change in circumstances affecting the ability of a
18 defendant to pay, a defendant may request a cost hearing before the
19 court by contacting the court clerk.

20 3. a. If a defendant is unable or unwilling to pay in full
21 his or her court financial obligations within ninety
22 (90) days of a plea or sentence in the district court
23 or within thirty (30) days of a plea or sentence in
24 the municipal court, the court clerk shall immediately

notify the court that the defendant is unable or unwilling to make payment in full. Upon notice from the court clerk that the defendant is unable or unwilling to pay in full court financial obligations within ninety (90) days of a plea or sentence in the district court or within thirty (30) days of a plea or sentence in the municipal court, the court shall enter a cost judgment pursuant to Section 101 of Title 28 of the Oklahoma Statutes.

b. If a defendant enters into an agreement to pay in full his or her court financial obligations but fails to make payment in full within ninety (90) days of a plea or sentence in the district court or within thirty (30) days of a plea or sentence in the municipal court, the court clerk shall immediately notify the court that the defendant defaulted on his or her agreement to make payment in full. Upon notice from the court clerk that a defendant defaulted on his or her agreement to make payment in full, the court shall enter a cost judgment pursuant to Section 101 of Title 28 of the Oklahoma Statutes.

22 4. The district court for each county and all municipal courts
23 shall provide a cost hearing for any defendant upon request, either
24 by establishing a dedicated docket or on an as-requested basis. A

1 defendant who requests a cost hearing will receive a summons by
2 personal service or by United States mail to appear in court as
3 required by subsection G of this section. If a defendant fails to
4 appear for a requested cost hearing, the court may issue either a
5 cost cite and release warrant or a cost arrest warrant. No fees
6 shall be assessed or collected from the defendant as a consequence
7 of either requesting a cost hearing or the issuing of a cost cite
8 and release warrant.

9 D. In determining the ability of the defendant to pay court
10 financial obligations, the court may rely on testimony, relevant
11 documents, and any information provided by the defendant using a
12 cost hearing affidavit promulgated by the Court of Criminal Appeals.
13 In addition, the court may make inquiry of the defendant and
14 consider any other evidence or testimony concerning the ability of
15 the defendant to pay.

16 E. 1. If at the initial cost hearing or any subsequent cost
17 hearing, the court determines that the defendant is able to pay some
18 or all of the court financial obligations, the court may order any
19 of the following conditions for payment:

- 20 a. payment in full, or
- 21 b. payment in installmentsr.
- 22 e.

23 2. If, at the initial cost hearing or any subsequent cost
24 hearing, the court determines that the defendant is unable to pay

1 some or all of the court financial obligations, the court may order
2 any of the following conditions for payment:

3 a. financial incentive under a set of conditions
4 determined by the court, or
5 d.
6 b. community service in lieu of payment; provided, the
7 defendant shall receive credit for no less than two
8 times the amount of the minimum wage specified
9 pursuant to state law for each hour of community
10 service.

11 2. 3. Any defendant who fails to comply with the terms of the
12 payment plan ordered by the court shall be considered delinquent and
13 the court may issue either a cost cite and release warrant or a cost
14 arrest warrant.

15 F. If the court determines that a waiver of any of the court
16 financial obligations is warranted, the court shall apply the same
17 percentage reduction equally to all fines, costs, fees, and
18 assessments, excluding restitution.

19 G. 1. A defendant is considered delinquent in the payment of
20 court financial obligations under the following circumstances:

21 a. when the total amount due has not been paid by the due
22 date, or

1 b. when ~~no~~ any installment ~~payments have~~ payment has not
2 been received ~~in the most recent ninety day period~~
3 within thirty (30) days of the due date.

4 2. The court clerk shall ~~periodically~~ diligently review cases
5 for ~~delinquency~~ at least once every six (6) months and, upon
6 defaulted payment agreements. Upon identifying a ~~delinquent~~
7 defendant, notify defaulted payment agreement, the court ~~which~~ clerk
8 shall, within ten (10) days thereafter, set review the case to
9 determine whether a cost hearing for the court to determine if the
10 defendant is able to pay. The judgment has been entered.

11 a. If a cost hearing judgment has already been entered,
12 the court clerk shall be set within forty five (45)
13 days of the issuance of the summons. The hearing
14 shall be set on a date that shall allow immediately
15 refer the case to the court cost compliance program.

16 b. If a cost judgment has not already been entered, the
17 court clerk to issue a summons fourteen (14) days
18 prior to the cost hearing. Defendants shall incur no
19 additional fees associated with the issuance of the
20 summons.

21 3. At least fourteen (14) days prior to the immediately notify
22 the court that the defendant defaulted on his or her agreement to
23 make payment in full. Upon entering a cost hearing judgment, the
24 court clerk shall issue one summons to the defendant to be served by

1 United States mail to the mailing address of the defendant on file
2 in immediately refer the case, substantially as follows:

3 ~~SUMMONS~~

4 You are ORDERED to appear for a COST HEARING at a specified
5 time, place, and date to determine if you are financially able to
6 pay the fines, costs, fees, or assessments or an installment due in
7 Case No. _____.

8 ~~YOU MUST BE PRESENT AT THE HEARING.~~

9 At any time before the date of the cost hearing, you may contact
10 the court clerk and pay the amount due or request in writing or in
11 person prior to the court date, that the hearing be rescheduled for
12 no later than thirty (30) days after the scheduled time.

13 ~~THIS IS NOT AN ARREST WARRANT. However, if you fail to appear~~
14 ~~for the cost hearing or pay the amount due, the court may issue a~~
15 ~~WARRANT and may refer the case to a court cost compliance liaison~~
16 ~~which will cause an additional administrative fee of up to thirty-~~
17 ~~five percent (35%) to be added to the amount owed and may include~~
18 ~~additional costs imposed by the court.~~

19 4. ~~Referrals to the court cost compliance program as provided~~
20 ~~in subsection I of this section shall be made as follows:~~

21 a. ~~courts.~~

22 3. a. ~~Every county of this state shall refer a case to fully~~
23 ~~utilize and participate in the court cost compliance~~
24 ~~program upon the issuance of a cost arrest warrant,~~

b. courts may refer a case to the court cost compliance program upon the issuance of a cost cite and release warrant, or

c. courts may refer a case to the court cost compliance program without the issuance of a warrant; provided, Every case in which the defendant is delinquent and has had sufficient notice and opportunity has defaulted in the established payment plan shall be referred to have a the court cost hearing compliance program no more than one hundred twenty (120) days after a plea or sentence in the district court or within sixty (60) days of a plea or sentence in the municipal court.

5. A municipal

b. When a case is referred to the court cost compliance program, in lieu of mailing the summons provided for in this subsection, may give the summons to the court clerk shall provide the court cost compliance liaison with updated contact information of the defendant in person at the time of sentencing or subsequent appearance of a specific date, time, and place, not fewer than thirty (30) days nor more than one hundred twenty (120) days from the date of sentencing to appear for a, a copy of the cost hearing if the court

1 financial obligations remain unpaid judgment, and an
2 itemized accounting of costs incurred and monies
3 received.

4 H. 1. If a defendant is found by a law enforcement officer to
5 have an outstanding cost cite and release warrant, the law
6 enforcement officer shall issue a Warning/Notice to appear within
7 ten (10) days of release from detention on the warrant to the court
8 clerk of the court in which the court financial obligations are
9 owed. If the officer has the necessary equipment, the officer shall
10 immediately transmit the Warning/Notice electronically to the court
11 clerk of the court in which the court financial obligations are
12 owed. The law enforcement officer shall not take the defendant into
13 custody on the cite and release warrant. If the law enforcement
14 officer is unable to transmit the Warning/Notice electronically to
15 the court clerk, the officer shall inform the appropriate department
16 staff member within the agency of the law enforcement officer of the
17 Warning/Notice within five (5) days. The department staff member
18 shall then promptly notify the law enforcement agency in the
19 jurisdiction that issued the warrant electronically who shall
20 promptly notify the court clerk. The electronic communication shall
21 be treated as a duplicate original for all purposes in any
22 subsequent hearings before the appropriate court.
23 2. If the defendant reports to the office of the court clerk
24 within the ten (10) days, the court clerk shall:

1 a. inform the court of the Warning/Notice to the
2 defendant and contact,
3 b. schedule a cost hearing pursuant to applicable local
4 court rule, and
5 c. submit the warrant to the court for recall pending the
6 cost hearing.

7 3. If the defendant fails to report to the office of the court
8 clerk within the ten (10) days, the court may issue a cost arrest
9 warrant for the arrest of the defendant.

10 4. Following an arrest on a cost arrest warrant, the defendant
11 must be released after seventy-two (72) hours in custody. The
12 defendant may be released prior to seventy-two (72) hours if:

13 a. the custodian is presented with proof of payment in
14 the amount of One Hundred Dollars (\$100.00) to each
15 jurisdiction where the court financial obligations are
16 owed and the new cost hearing date is provided,
17 b. the court releases the defendant on the defendant's
18 own recognizance and a new cost hearing date is
19 provided, or
20 c. the court conducts a cost or willfulness hearing, as
21 appropriate, pursuant to the provisions of this
22 section and determines the defendant should be
23 released.

1 5. The provisions for issuing a separate summons described in
2 subsection G of this section shall not apply to a municipal court if
3 the municipal court has previously provided actual personal notice
4 to the defendant of an opportunity for a cost hearing. If such
5 notice was given and the defendant fails to appear, the municipal
6 court may issue either a cost cite and release warrant or a cost
7 arrest warrant.

8 6. All warrants for failure to appear at a cost hearing or for
9 failure to pay court financial obligations which have been issued
10 prior to the effective date of this act and which remain unserved,
11 shall be treated as cost cite and release warrants. All warrant
12 fees assessed for warrants for failure to appear at a cost hearing
13 or for failure to pay court financial obligations issued prior to
14 the effective date of this act shall remain in effect unless waived
15 by the court.

16 I. Supporting documents in a motion or affidavit for relief
17 from court financial obligation debt or any documents taken into
18 evidence during a cost hearing or willfulness hearing shall not be
19 viewable by the public on a court-controlled website.

20 J. 1. After a cost hearing where a defendant is found able to
21 pay a court financial obligation, either in whole or in part, and
22 then becomes delinquent in that payment, a court may conduct a
23 willfulness hearing at any time beginning immediately after a cost
24 hearing has been held and a decision rendered on the court financial

1 obligations. Findings of a defendant's prior ability to pay may be
2 considered as evidence of ability to pay or willfulness at the
3 hearing. The requirements of this paragraph shall not be construed
4 to prohibit the court from holding subsequent cost hearings on the
5 same court financial obligations.

6 2. At a willfulness hearing, the court shall evaluate the
7 following:

- 8 a. whether a cost hearing has been held previously where
9 evidence relating to ability to pay was presented and
10 the court found the defendant was able to pay the
11 court financial obligations, either in whole or in
12 part,
- 13 b. whether there is any new evidence of ability to pay
14 not previously considered or a change in circumstances
15 since the cost hearing,
- 16 c. whether the defendant was afforded sufficient time and
17 opportunity to fulfill the obligation to pay the court
18 financial obligations,
- 19 d. whether the defendant made any efforts to satisfy the
20 court financial obligations, and
- 21 e. whether there are any other relevant facts or
22 circumstances.

23 3. After a finding of willful failure to pay court financial
24 obligations, the court may impose a jail sentence pursuant to

1 Section 101 of Title 28 of the Oklahoma Statutes. A jail sentence
2 may be imposed only under the following circumstances:

- 3 a. the hearing is conducted on the record pursuant to the
4 rules promulgated by the Court of Criminal Appeals,
5 and
- 6 b. the defendant is represented by counsel or expressly
7 waives his or her right to counsel.

8 4. If a jail sentence is imposed, the court may grant credit
9 for any time already served. At any time after incarceration, the
10 jail sentence may be satisfied upon payment in full of the
11 outstanding balance with credit for any time already served.

12 K. The district court or municipal court, within one hundred
13 twenty (120) days from the date upon which the person fails to
14 comply with the financial obligation as ordered by the court or
15 fails to appear for the offered cost or willfulness hearing, may, if
16 the defendant has previously been notified of the possibility of a
17 suspension, send notice of nonpayment of any court-ordered financial
18 obligation for a moving traffic violation to Service Oklahoma with a
19 recommendation of suspension of driving privileges of the defendant
20 until the total amount of any court financial obligation has been
21 paid or waived by the court. Upon receipt of payment of the total
22 amount of the court financial obligations for the moving traffic
23 violation, the court shall send notice thereof to Service Oklahoma,
24 if a nonpayment notice was sent as provided for in this subsection.

1 Notices sent to Service Oklahoma shall be on forms or by a method
2 approved by Service Oklahoma.

3 L. Every county and district court of this state shall fully
4 utilize and participate in

5 c. When a case is referred to the court cost compliance
6 program. Cases shall be referred to, the court clerk
7 shall add the court cost compliance program no more
8 than sixty (60) days after the court has ordered the
9 referral pursuant to paragraph 4 of subsection C of
10 this section, unless administrative fee to the court
11 financial obligation of the defendant pays the amount
12 owed on the court financial obligation or an
13 installment due. When the. The court refers a case,
14 the updated contact information on file cost
15 compliance administrative fee shall be forwarded paid
16 to a the court cost compliance liaison for collection
17 purposes as monies are recovered.

18 d. As costs are recovered in cases which have been
19 returned to the court cost compliance liaison, the
20 entity that receives the costs shall keep its pro rata
21 share and distribute the remainder to the other
22 entity.

23 e. Any additional court costs incurred by the court cost
24 compliance liaison for the enforcement of the cost

judgment shall be subject to the court cost compliance
program administrative fee.

M. H. The Court of Criminal Appeals shall implement procedures and rules for implementation of the requirements of this section. Such procedures, rules, and any supplemental forms may be made available by the Administrative Office of the Courts.

SECTION 5. AMENDATORY 28 O.S. 2021, Section 101, as amended by Section 4, Chapter 247, O.S.L. 2023 (28 O.S. Supp. 2025, Section 101), is amended to read as follows:

Section 101. A. The fees herein provided for the clerk of the district court and the sheriff, as provided in this section, and all costs in the prosecution of all criminal actions shall, in case of conviction of the defendant, be adjudged a part of the penalty of the offense of which the defendant may be convicted, whether the punishment for such offense be either imprisonment, or fine, or both, and fixed either by the verdict of the jury, or judgment of the court, trying the case, and if the defendant shall refuse to pay the court financial obligations, the payment of such fees and costs, in addition to the payment of the fine assessed, shall may be enforced by suspension of the driving privileges and driver license of the defendant in this state, or if the defendant is a nonresident, in the home state of the defendant pursuant to the Nonresident Violator Compact, or imprisonment until the same shall be satisfied at a rate of up to One Hundred Dollars (\$100.00) per

1 day of such fees and costs, or fine, or both, or shall be satisfied
2 at a rate of up to Two Hundred Dollars (\$200.00) per day of such
3 fees and costs, or fine, or both, should the defendant perform
4 useful labor. If, at the time of sentencing or anytime thereafter,
5 the defendant is either without means to pay in full the fine fines,
6 fees or costs, or refuses to pay any fines, fees or costs, the total
7 amount owed may shall be entered as a cost judgment and thereupon
8 the same remedies shall be available for the enforcement of the cost
9 judgment as are available to any other judgment creditor.

10 B. If a cost judgment is issued pursuant to this section, the
11 cost judgment shall be immediately forwarded to a court cost
12 compliance liaison. Upon receipt of the cost judgment, the court
13 cost compliance liaison shall serve notice of the cost judgment to
14 the defendant. If the case has not already been referred to a court
15 cost compliance program, all remedies available for enforcement of
16 the cost judgment by plaintiff shall be stayed for thirty (30) days
17 following the sending of notice of the cost judgment to the
18 defendant. During the stay, if the defendant makes satisfactory
19 payment arrangements with the court clerk, the court, or court cost
20 compliance liaison, the stay shall continue. If the defendant fails
21 to make satisfactory payment arrangements with the court clerk or
22 makes satisfactory payment arrangements with the court clerk and
23 later defaults on said arrangements, the stay shall be deemed lifted
24 without notice or further order. If the case has already been

1 referred to a court cost compliance program when the cost judgment
2 is issued, enforcement of the cost judgment shall not be stayed.

3 C. Any cost judgment issued pursuant to this section shall not
4 become unenforceable as set forth in Section 735 of Title 12 of the
5 Oklahoma Statutes.

6 D. The cost judgment shall state:

7 1. The total amount of the court financial obligations of the
8 defendant;

9 2. The percentage of the collection fee and amount;

10 3. The amount of the collection fee, if known; and

11 4. That, pursuant to the provisions of this section, the
12 plaintiff shall have the same remedies available for enforcement of
13 the cost judgment as are available to any other judgment creditor
14 including, but not limited to, authorization to obtain consumer
15 reports from any consumer reporting agency as it deems necessary for
16 enforcement of the cost judgment.

17 The E. As used in this section, the term "all costs in the
18 prosecution of all criminal actions", as used in this section, shall
19 include all court financial obligations as defined in Section 983 of
20 Title 22 of the Oklahoma Statutes.

21 SECTION 6. This act shall become effective November 1, 2026.

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