

**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**

Amendment submitted by: Jonathan Wilk

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

PROPOSED POLICY  
COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 3430

By: Wilk

PROPOSED POLICY COMMITTEE SUBSTITUTE

An Act relating to court costs; amending 12 O.S. 2021, Section 735, which relates to time limitations for the issuance of judgments; modifying list of exceptions to include certain cost judgments; amending 19 O.S. 2021, Sections 514.4, as last amended by Section 1, Chapter 211, O.S.L. 2024 and 514.5, as amended by Section 2, Chapter 247, O.S.L. 2023 (19 O.S. Supp. 2025, Sections 514.4 and 514.5), which relate to the court cost compliance program; stating purpose of court cost compliance program; providing statutory reference for defined term; authorizing full payment of costs in lieu of court appearance; prohibiting court cost compliance liaisons from invoicing certain parties for costs associated with enforcing judgments; allowing 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  
collecting and distributing funds; amending 28 O.S.  
2021, Section 101, as amended by Section 4, Chapter  
247, O.S.L. 2023 (28 O.S. Supp. 2025, Section 101),  
which relates to court financial obligations in  
criminal cases; making the suspension of driving  
privileges and driver licenses optional under certain  
circumstances; directing courts to enter judgments if  
defendants are unable to pay; establishing procedures  
when judgments are issued by the court; providing for  
stays of enforcement; prohibiting stays under certain  
circumstances; prohibiting judgments from becoming  
unenforceable; requiring certain information in  
judgments; and providing an effective date.

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

SECTION 1. AMENDATORY 12 O.S. 2021, Section 735, is  
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,  
24

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 ~~finer,~~  
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 administering 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:

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

~~2.~~ 3. "Cost cite and release warrant" means a warrant issued by a court authorizing citation and release under the following circumstances:

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

~~3.~~ 4. "Cost hearing" means a hearing in which the court determines the ability of a defendant to pay court financial obligations. Once a cost hearing date has been set, all court financial obligations shall be suspended until the cost hearing has been held;

5. "Cost judgment" means a judgment entered pursuant to Section 101 of Title 28 of the Oklahoma Statutes. A cost judgment is not a 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~~

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

4 ~~d. total income is below one hundred fifty percent (150%)~~  
5 ~~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.

17 2. a. The court shall order the defendant to appear  
18 immediately after sentencing at the office of the  
19 court clerk to provide current contact information ~~and~~  
20 ~~to~~ which shall include the residential address of the  
21 defendant, telephone number, cell phone number, and  
22 email address. At this time, the defendant shall  
23 either select payment terms or request a cost hearing.  
24 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

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

10 b. If a defendant enters into an agreement to pay in full  
11 his or her court financial obligations but fails to  
12 make payment in full within ninety (90) days of a plea  
13 or sentence in the district court or within thirty  
14 (30) days of a plea or sentence in the municipal  
15 court, the court clerk shall immediately notify the  
16 court that the defendant defaulted on his or her  
17 agreement to make payment in full. Upon notice from  
18 the court clerk that a defendant defaulted on his or  
19 her agreement to make payment in full, the court shall  
20 enter a cost judgment pursuant to Section 101 of Title  
21 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 installments, or.
- 22 ~~c.~~

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~~

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

~~SUMMONS~~

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

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

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

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

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

~~a. courts.~~

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

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

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

14       ~~5. A municipal~~

15       b. When a case is referred to the court cost compliance  
16       program, in lieu of mailing the summons provided for  
17       in this subsection, may give the summons to the court  
18       clerk shall provide the court cost compliance liaison  
19       with updated contact information of the defendant in  
20       person at the time of sentencing or subsequent  
21       appearance of a specific date, time, and place, not  
22       fewer than thirty (30) days nor more than one hundred  
23       twenty (120) days from the date of sentencing to  
24       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:~~

- a. ~~inform the court of the Warning/Notice to the defendant and contact,~~
- b. ~~schedule a cost hearing pursuant to applicable local court rule, and~~
- c. ~~submit the warrant to the court for recall pending the cost hearing.~~

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

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

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

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

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

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

~~K. The district court or municipal court, within one hundred twenty (120) days from the date upon which the person fails to comply with the financial obligation as ordered by the court or fails to appear for the offered cost or willfulness hearing, may, if the defendant has previously been notified of the possibility of a suspension, send notice of nonpayment of any court-ordered financial obligation for a moving traffic violation to Service Oklahoma with a recommendation of suspension of driving privileges of the defendant until the total amount of any court financial obligation has been paid or waived by the court. Upon receipt of payment of the total amount of the court financial obligations for the moving traffic violation, the court shall send notice thereof to Service Oklahoma, 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

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

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

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

10        Section 101. A. The fees herein provided for the clerk of the  
11 district court and the sheriff, as provided in this section, and all  
12 costs in the prosecution of all criminal actions shall, in case of  
13 conviction of the defendant, be adjudged a part of the penalty of  
14 the offense of which the defendant may be convicted, whether the  
15 punishment for such offense be either imprisonment, or fine, or  
16 both, and fixed either by the verdict of the jury, or judgment of  
17 the court, trying the case, and if the defendant shall refuse to pay  
18 the court financial obligations, the payment of such fees and costs,  
19 in addition to the payment of the fine assessed, ~~shall~~ may be  
20 enforced by suspension of the driving privileges and driver license  
21 of the defendant in this state, or if the defendant is a  
22 nonresident, in the home state of the defendant pursuant to the  
23 Nonresident Violator Compact, or imprisonment until the same shall  
24 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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23 60-2-16395 GRS 02/16/26  
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