

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

POLICY COMMITTEE
RECOMMENDATION

FOR

HOUSE BILL NO. 3262

By: George

POLICY COMMITTEE RECOMMENDATION

An Act relating to fees; amending 28 O.S. 2021, Section 153, as amended by Section 5, Chapter 305, O.S.L. 2025 (28 O.S. Supp. 2025, Section 153), which relates to fees and costs in criminal proceedings; increasing sheriff's service fee; amending 28 O.S. 2021, Section 162, which relates to fees and costs in juvenile proceedings; increasing sheriff's service fee; and providing an effective date.

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

SECTION 1. AMENDATORY 28 O.S. 2021, Section 153, as amended by Section 5, Chapter 305, O.S.L. 2025 (28 O.S. Supp. 2025, Section 153), is amended to read as follows:

Section 153. A. The clerks of the courts shall collect as costs in every criminal case for each offense of which the defendant is convicted, irrespective of whether or not the sentence is deferred, the following flat charges and no more, except for standing and parking violations and for charges otherwise provided

1 for by law, which fee shall cover docketing of the case, filing of
2 all papers, issuance of process, warrants, orders, and other
3 services to the date of judgment:

4 1. For each defendant convicted of
5 exceeding the speed limit by at least
6 one (1) mile per hour but not more than
7 ten (10) miles per hour, whether charged
8 individually or conjointly with others.....\$77.00

9 2. For each defendant convicted of a
10 misdemeanor traffic violation other than
11 an offense provided for in paragraph 1
12 or 5 of this subsection, whether charged
13 individually or conjointly with others.....\$98.00

14 3. For each defendant convicted of a
15 misdemeanor, other than for driving
16 under the influence of alcohol or other
17 intoxicating substance or an offense
18 provided for in paragraph 1 or 2 of this
19 subsection, whether charged individually
20 or conjointly with others.....\$93.00

21 4. For each defendant convicted of a
22 felony, other than for driving under the
23 influence of alcohol or other
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intoxicating substance, whether charged
individually or conjointly with others.....\$103.00

5. For each defendant convicted of the
misdemeanor of driving under the
influence of alcohol or other
intoxicating substance, whether charged
individually or conjointly with others.....\$433.00

6. For each defendant convicted of the
felony of driving under the influence of
alcohol or other intoxicating substance,
whether charged individually or
conjointly with others.....\$433.00

7. For the services of a court reporter at
each preliminary hearing and trial held
in the case.....\$20.00

8. For each time a jury is requested.....\$30.00

9. A sheriff's fee for serving or
endeavoring to serve each writ, warrant,
order, process, command, or notice or
pursuing any fugitive from justice

a. within the county up to..... ~~\$50.00~~ \$150.00, or
mileage as
established by the
Oklahoma Statutes,

whichever is

greater, or

b. outside of the county up to..... ~~\$50.00~~ \$150.00, or

actual, necessary

expenses, whichever

is greater

B. In addition to the amount collected pursuant to paragraphs 2 through 6 of subsection A of this section, the sum of Six Dollars (\$6.00) shall be assessed and credited to the Law Library Fund pursuant to Section 1201 et seq. of Title 20 of the Oklahoma Statutes.

C. In addition to the amount collected pursuant to subsection A of this section, the sum of Twenty Dollars (\$20.00) shall be assessed and collected in every traffic case for each offense other than for driving under the influence of alcohol or other intoxicating substance; the sum of Thirty Dollars (\$30.00) shall be assessed and collected in every misdemeanor case for each offense; the sum of Thirty Dollars (\$30.00) shall be assessed and collected in every misdemeanor case for each offense for driving under the influence of alcohol or other intoxicating substance; the sum of Fifty Dollars (\$50.00) shall be assessed and collected in every felony case for each offense; and the sum of Fifty Dollars (\$50.00) shall be assessed and collected in every felony case for each

1 offense for driving under the influence of alcohol or other
2 intoxicating substance.

3 D. In addition to the amounts collected pursuant to subsections
4 A and B of this section, the sum of Twenty-five Dollars (\$25.00)
5 shall be assessed and credited to the Oklahoma Court Information
6 System Revolving Fund created pursuant to Section 1315 of Title 20
7 of the Oklahoma Statutes.

8 E. In addition to the amount collected pursuant to paragraphs 1
9 through 6 of subsection A of this section, the sum of Ten Dollars
10 (\$10.00) shall be assessed and credited to the Sheriff's Service Fee
11 Account in the county in which the conviction occurred for the
12 purpose of enhancing existing or providing additional courthouse
13 security.

14 F. In addition to the amounts collected pursuant to paragraphs
15 1 through 6 of subsection A of this section, the sum of Three
16 Dollars (\$3.00) shall be assessed and credited to the Office of the
17 Attorney General Victim Services Unit.

18 G. In addition to the amounts collected pursuant to paragraphs
19 1 through 6 of subsection A of this section, the sum of Three
20 Dollars (\$3.00) shall be assessed and credited to the Child Abuse
21 Multidisciplinary Account. This fee shall not be used for purposes
22 of hiring or employing any law enforcement officers.
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1 H. Prior to conviction, parties in criminal cases shall not be
2 required to pay, advance, or post security for the issuance or
3 service of process to obtain compulsory attendance of witnesses.

4 I. The amounts to be assessed as court costs upon filing of a
5 case shall be those amounts above-stated in paragraph 3 or 4 of
6 subsection A and subsections B, C, D and E of this section.

7 J. The fees collected pursuant to this section shall be
8 deposited into the court fund, except the following:

9 1. A court clerk issuing a misdemeanor warrant is entitled to
10 ten percent (10%) of the sheriff's service fee, provided for in
11 paragraph 9 of subsection A of this section, collected on a warrant
12 referred to the contractor for the misdemeanor warrant notification
13 program governed by Sections 514.4 and 514.5 of Title 19 of the
14 Oklahoma Statutes. This ten-percent sum shall be deposited into the
15 issuing Court Clerk's Revolving Fund, created pursuant to Section
16 220 of Title 19 of the Oklahoma Statutes, of the court clerk issuing
17 the warrant with the balance of the sheriff's service fee to be
18 deposited into the Sheriff's Service Fee Account, created pursuant
19 to the provisions of Section 514.1 of Title 19 of the Oklahoma
20 Statutes, of the sheriff in the county in which service is made or
21 attempted. Otherwise, the sheriff's service fee, when collected,
22 shall be deposited in its entirety into the Sheriff's Service Fee
23 Account of the sheriff in the county in which service is made or
24 attempted;

1 2. The sheriff's fee provided for in Section 153.2 of this
2 title;

3 3. The witness fees paid by the district attorney pursuant to
4 the provisions of Section 82 of this title which, if collected by
5 the court clerk, shall be transferred to the district attorney's
6 office in the county where witness attendance was required. Fees
7 transferred pursuant to this paragraph shall be deposited in the
8 district attorney's maintenance and operating expense account;

9 4. The fees provided for in subsection C of this section shall
10 be forwarded to the District Attorneys Council Revolving Fund to
11 defray the costs of prosecution; and

12 5. The following amounts of the fees provided for in paragraphs
13 2, 3, 5 and 6 of subsection A of this section, when collected, shall
14 be deposited in the Trauma Care Assistance Revolving Fund, created
15 pursuant to the provisions of Section 1-2530.9 of Title 63 of the
16 Oklahoma Statutes:

17 a. Ten Dollars (\$10.00) of the ninety-eight-dollar fee
18 provided for in paragraph 2 of subsection A of this
19 section,

20 b. Ten Dollars (\$10.00) of the ninety-three-dollar fee
21 provided for in paragraph 3 of subsection A of this
22 section,

1 c. One Hundred Dollars (\$100.00) of the four-hundred-
2 thirty-three-dollar fee provided for in paragraph 5 of
3 subsection A of this section, and

4 d. One Hundred Dollars (\$100.00) of the four-hundred-
5 thirty-three-dollar fee provided for in paragraph 6 of
6 subsection A of this section.

7 K. As used in this section, "convicted" means any final
8 adjudication of guilt, whether pursuant to a plea of guilty or nolo
9 contendere or otherwise, and any deferred judgment or suspended
10 sentence.

11 L. A court clerk may accept in payment for any fee, fine,
12 forfeiture payment, cost, penalty assessment or other charge or
13 collection to be assessed or collected by a court clerk pursuant to
14 this section a nationally recognized credit card or debit card or
15 other electronic payment method as provided in paragraph 1 of
16 subsection B of Section 151 of this title.

17 M. Upon receipt of payment of fines and costs for offenses
18 charged prior to July 1, 1992, the court clerk shall apportion and
19 pay Thirteen Dollars (\$13.00) per conviction to the court fund.

20 SECTION 2. AMENDATORY 28 O.S. 2021, Section 162, is
21 amended to read as follows:

22 Section 162. A. The clerks of the courts shall collect as
23 costs in every juvenile delinquency, child in need of supervision,
24 or deprived case in which the juvenile is adjudicated, irrespective

1 of whether or not the sentence is deferred, or minor in need of
2 treatment case pursuant to the Inpatient Mental Health and Substance
3 Abuse Treatment of Minors Act, Section 5-501 et seq. of Title 43A of
4 the Oklahoma Statutes, irrespective of whether the child is
5 committed for inpatient mental health or substance abuse treatment,
6 or in every such case in which a petition is filed at the demand of
7 the parents of a juvenile and said petition is subsequently
8 dismissed prior to adjudication at said parents' request, the
9 following flat charge and no more, except for the charges provided
10 for in this section, which fee shall cover docketing of the case,
11 filing of all papers, issuance of process, warrants and orders, and
12 other services to date of judgment:

13 For each case where one or more juveniles
14 are adjudicated deprived.....\$50.00
15 For each juvenile who is certified to stand
16 trial as an adult.....\$75.00
17 In each juvenile case wherein parental
18 rights are terminated.....\$50.00
19 For each juvenile adjudicated in need of
20 supervision.....\$50.00
21 For each child found to be a minor in need
22 of treatment.....\$50.00
23 For each juvenile adjudicated for an
24 offense which would be a misdemeanor if

1 committed by an adult, including
2 violation of any traffic law, whether
3 charged individually or conjointly with
4 others.....\$50.00

5 For each juvenile adjudicated for an
6 offense which would be a felony if
7 committed by an adult, whether charged
8 individually or conjointly with others.....\$75.00

9 For the services of a court reporter at
10 each trial held in the case.....\$20.00

11 When a jury is requested.....\$30.00

12 A sheriff's fee for serving or endeavoring
13 to serve all writs, warrants, orders,
14 process, commands, or notices or pursuing
15 any fugitive from justice up to.....~~\$20.00~~

16 \$150.00 or
17 mileage as established
18 by Oklahoma Statutes,
19 whichever is greater.

20 B. In addition to the amount collected pursuant to subsection A
21 of this section, the sum of Thirty Dollars (\$30.00) shall be
22 assessed and collected for each juvenile case. The fees collected
23 shall be forwarded to the District Attorneys Revolving Fund to
24 defray the costs of prosecution.

1 C. Costs assessed pursuant to subsections A and B of this
2 section shall be levied against the juvenile, the parent, or both,
3 but shall not be levied against the legal guardian or any state or
4 private agency having custody of any juvenile subject to such
5 proceedings.

6 D. Prior to adjudication, parties in juvenile delinquency,
7 child in need of supervision, minor in need of treatment, and
8 deprived cases shall not be required to pay, advance, or post
9 security for the issuance or service of process to obtain compulsory
10 attendance of witnesses. These fees shall be deposited into the
11 court fund, except the sheriff's fee, when collected, shall be
12 transferred to the general fund of the county in which service is
13 made or attempted to be made.

14 E. The clerk of the district court shall charge the sum of One
15 Hundred Dollars (\$100.00) for preparing, assembling, indexing, and
16 transmitting the record for appellate review. This fee shall be
17 paid by the party taking the appeal and shall be entered as costs in
18 the action. If more than one party to the action shall prosecute an
19 appeal from the same judgment or order, the fee shall be paid by the
20 party whose petition in error is determined by the district court or
21 by the appellate court to commence the principal appeal. The fees
22 collected hereunder shall be paid into the court fund.

23 F. Fees and costs collected in juvenile cases may be withdrawn
24 from the court fund and used for operations of the juvenile bureaus,

1 in counties wherein a statutory juvenile bureau is in operation,
2 upon approval by the Chief Justice of the Oklahoma Supreme Court.

3 G. In those seventy-four counties in which court services are
4 provided by contract between the Oklahoma Supreme Court and the
5 Department of Human Services, funds received from court costs in
6 juvenile cases may be withdrawn from the court fund and paid to the
7 Department of Human Services upon approval by the Chief Justice of
8 the Oklahoma Supreme Court. Said funds are to be expended by the
9 Department of Human Services to supplement community-based programs,
10 such as youth services programs, day treatment programs and group
11 home services. Specific annual training of Department workers in
12 community-based services providing the above court-related services
13 is also to be included for expenditure of funds received from court
14 costs in juvenile cases by the Department of Human Services.

15 H. In those seventy-four counties in which court services are
16 provided by contract between the Oklahoma Supreme Court and the
17 Office of Juvenile Affairs, funds received from court costs or
18 orders for care and maintenance in juvenile cases may be withdrawn
19 from the court fund and paid to the Office of Juvenile Affairs upon
20 approval by the Chief Justice of the Oklahoma Supreme Court. Said
21 funds are to be expended by the Office of Juvenile Affairs to
22 provide care and maintenance and to supplement community-based
23 programs, such as alternative education, juvenile offender community
24 and victim restitution work programs, community sanction programs,

1 youth services programs, day treatment programs, group home
2 services, and detention services. Specific annual training of
3 agency workers in community-based services providing the above
4 court-related services is also to be included for expenditure of
5 funds received from court costs in juvenile cases by the Office of
6 Juvenile Affairs.

7 SECTION 3. This act shall become effective November 1, 2026.

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