

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3430

By: Wilk

4

5

6 AS INTRODUCED

7 An Act relating to court costs; amending 19 O.S.
8 2021, Sections 514.4, as last amended by Section 1,
9 Chapter 211, O.S.L. 2024 and 514.5, as amended by
10 Section 2, Chapter 247, O.S.L. 2023 (19 O.S. Supp.
11 2025, Sections 514.4 and 514.5), which relate to the
12 court cost compliance program; stating purpose of
13 court cost compliance program; providing statutory
14 reference for defined term; authorizing full payment
15 of costs in lieu of court appearance; prohibiting
16 court cost compliance liaisons from invoicing certain
17 parties for costs associated with enforcing
18 judgments; allowing attorney fees to be retained by
19 court cost compliance liaisons; amending 22 O.S.
20 2021, Section 983, as last amended by Section 2,
21 Chapter 211, O.S.L. 2024 (22 O.S. Supp. 2025, Section
22 983), which relates to the payment of fines, costs,
23 and fees in criminal cases; defining terms; providing
24 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 payment at the initial or subsequent
cost hearings; decreasing certain time limitation for
delinquent status; directing court clerks to
diligently review cases for defaulted payment
agreements; requiring court clerks to follow certain
procedures when cost judgments have or haven't been
entered in cases; deleting summons form; deleting
referral provisions; requiring every county to

1 utilize and participate in the court cost compliance
2 program; establishing procedures when defendants
3 default on payment plans; requiring referral to the
4 court cost compliance program; directing court clerks
5 to provide certain information to court cost
6 compliance liaisons; deleting procedures related to
7 the issuance of a Warning/Notice to Appear; deleting
8 procedures relating to cost arrest warrants; deleting
9 custody release requirements for arrested persons;
10 deleting exception for municipal courts and certain
11 warrant fees; deleting privacy requirement for
12 certain supporting documents; deleting willfulness
13 hearings and related procedures; deleting option to
14 suspend driving privileges under certain
15 circumstances; authorizing the addition of
16 administrative fees to court cost obligations;
17 providing procedures for collecting and distributing
18 funds; amending 28 O.S. 2021, Section 101, as amended
19 by Section 4, Chapter 247, O.S.L. 2023 (28 O.S. Supp.
20 2025, Section 101), which relates to court financial
21 obligations in criminal cases; making the suspension
22 of driving privileges and driver licenses optional
23 under certain circumstances; directing courts to
24 enter judgments if defendants are unable to pay;
1 establishing procedures when judgments are issued by
2 the court; providing for stays of enforcement;
3 prohibiting stays under certain circumstances;
4 prohibiting judgments from becoming unenforceable;
5 requiring certain information in judgments; and
6 providing an effective date.

17
18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. AMENDATORY 19 O.S. 2021, Section 514.4, as

20 last amended by Section 1, Chapter 211, O.S.L. 2024 (19 O.S. Supp.

21 2025, Section 514.4), is amended to read as follows:

22 Section 514.4. A. 1. ~~Effective November 1, 2023, there is~~
23 ~~hereby established a~~ The court cost compliance program. ~~The purpose~~
24 ~~of the program shall be~~ has been established to assist county

1 sheriffs and the courts of this state with the collection of ~~fines,~~
2 ~~costs, fees, and assessments associated with any case in which a~~
3 ~~warrant has been issued and the case has been referred to the court~~
4 ~~cost compliance program pursuant to financial obligations as defined~~
5 in Section 983 of Title 22 of the Oklahoma Statutes.

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

17 B. A person may make payment directly to the court, as allowed
18 by law, or the court cost compliance liaison, as allowed, shall be
19 authorized to accept payment on misdemeanor or cost-related warrants
20 on all cases referred pursuant to Section 983 of Title 22 of the
21 Oklahoma Statutes by various means including but not limited to
22 payment by phone, mail, or Internet, and in any payment form
23 including but not limited to personal, cashier's, traveler's,
24 certified, or guaranteed bank check, postal or commercial money

1 order, nationally recognized credit or a debit card, or other
2 generally accepted payment form. Any payment collected and received
3 by the court cost compliance liaison shall be paid to the court
4 clerk of the court that issued the warrant within fifteen (15) days
5 after receipt of the payment and proof of funds. Any payment
6 collected and received by the court, where the court has referred
7 the case to a court cost compliance liaison, shall be reported to
8 the court cost compliance liaison within four (4) days of receipt of
9 the payment. Any payment returned due to insufficient funds shall
10 have all insufficient fund charges incurred added to the outstanding
11 balance of the defendant. If a credit card payment taken by a court
12 cost compliance liaison is determined to be a fraudulent use of the
13 credit card by the payor and the payment is reversed by the credit
14 card company or payor's bank, the court clerk shall reverse the
15 transaction upon notification, return the payment to the court cost
16 compliance liaison, and the court cost compliance liaison shall
17 continue the collection process until paid. The court clerk shall
18 add any additional fees for the reversal of the transaction plus the
19 administration fees to the outstanding balance of the defendant.
20 Court cost compliance liaisons shall inform individuals of their
21 right to a cost hearing as provided in Section 983 of Title 22 of
22 the Oklahoma Statutes.

23 C. As provided for by this section, a person may ~~pay~~ make
24 payment in full in lieu of appearance before the court and such

1 payment accepted by the court shall constitute a finding of guilt as
2 though a plea of nolo contendere had been entered by the defendant
3 as allowed by law and shall function as a written, dated, and signed
4 plea form acceptable to the court. Such payment shall serve as a
5 written waiver of a jury trial.

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

17 E. The provisions of any contract entered into by a county
18 sheriff shall be administered by a statewide association of county
19 sheriffs in Oklahoma.

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

22 1. Any misdemeanor or cost-related warrant issued pursuant to
23 Section 983 of Title 22 of the Oklahoma Statutes or relating to any
24

1 proceeding pursuant to the State and Municipal Traffic, Water
2 Safety, and Wildlife Bail Bond Procedure Act;

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

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

7 SECTION 2. AMENDATORY 19 O.S. 2021, Section 514.5, as
8 amended by Section 2, Chapter 247, O.S.L. 2023 (19 O.S. Supp. 2025,
9 Section 514.5), is amended to read as follows:

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

18 B. The administrative cost reflected in subsection A of this
19 section shall be distributed to the court cost compliance liaison, a
20 portion of which may be used to compensate the statewide association
21 administering the contract.

22 C. The court cost compliance liaison shall not submit an
23 invoice to the statewide association of county sheriffs, the courts,
24 the court clerk, or any other state agency for third-party costs

1 incurred while seeking to enforce cost judgments. Any statutory
2 post-judgment attorney fees to which the court cost compliance
3 liaison may be entitled shall be retained by the court cost
4 compliance liaison to offset third-party costs incurred to enforce
5 cost judgments.

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

8 SECTION 3. AMENDATORY 22 O.S. 2021, Section 983, as last
9 amended by Section 2, Chapter 211, O.S.L. 2024 (22 O.S. Supp. 2025,
10 Section 983), is amended to read as follows:

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

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

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

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;

10 3. 4. "Cost hearing" means a hearing in which the court
11 determines the ability of a defendant to pay court financial
12 obligations. Once a cost hearing date has been set, all court
13 financial obligations shall be suspended until the cost hearing has
14 been held;

15 4. "Cost judgment" means a judgment entered pursuant to
16 Section 101 of Title 28 of the Oklahoma Statutes;

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

21 5. 7. "Payment-in-full" means a court financial payment term
22 that requires the defendant to pay the full amount of court
23 financial obligations owed within ninety (90) days of a plea or

1 sentence in the district court or within thirty (30) days of a plea
2 or sentence in the municipal court;

3 6. 8. "Payment-in-installments" means payment terms for court
4 financial obligations that require the defendant to make monthly
5 payments in any amount until the amount owed is fully paid; and

6 7. 9. "Willfulness hearing" means a hearing in which the court
7 determines whether a defendant who has previously been found to have
8 the ability to pay court financial obligations has willfully failed
9 to pay the debt.

10 B. 1. Except in cases provided for in Section 983b of this
11 title, when the judgment and sentence of a court, either in whole or
12 in part, imposes court financial obligations upon a defendant, the
13 court at the time of sentencing may immediately, or at any point
14 thereafter until the debt is either paid or waived, determine the
15 ability of a defendant to pay the court financial obligations. The
16 court may make such determinations at a cost hearing or upon written
17 motion or affidavit by the defendant. The ability of a defendant to
18 pay court financial obligations may not impact the sentence imposed.

19 2. Defendants with court financial obligations who are found by
20 the court to be permanently unable to pay, in whole or in part,
21 shall be relieved of the debt by the court through a hardship waiver
22 of the court financial obligations, either in whole or in part.

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

1 a. individual and household income,

2 b. household living expenses,

3 c. number of dependents,

4 d. assets,

5 e. child support obligations,

6 f. physical or mental health conditions that diminish the
7 ability to generate income or manage resources,

8 g. additional case-related expenses to be paid by the
9 defendant, and

10 h. any other factors relevant to the ability of the
11 defendant to pay.

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

13 following shall not be considered as income or assets:

14 a. child support income,

15 b. any monies received from a federal, state, or tribal
16 government need-based or disability assistance
17 program, or

18 c. assets exempt from bankruptcy.

19 5. Defendants in the following circumstances are presumed

20 permanently unable to pay and eligible for relief under paragraph 2
21 of this subsection:

22 a. designated as totally disabled by any federal, state,
23 or tribal disability services program including but
24 not limited to military disability, Social Security

Disability Insurance, Supplemental Security Income, or tribal disability benefits, and

b. receives support from the Temporary Assistance for Needy Families program, Supplemental Nutrition Assistance Program, the Special Supplemental Nutrition Program for Women, Infants, and Children nutrition education and supplemental food program, or any other federal need based the court determines the defendant suffers from a physical or mental health condition which permanently diminishes the ability of the defendant to generate enough income to pay the financial support,

e. receives subsidized housing support through the
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.

C. 1. At the time of a plea or sentencing, the court shall

21 inform the defendant of the total court financial obligations owed,
22 and the consequences of failing to pay the court financial
23 obligations, and that the defendant may request a cost hearing if at
24 any time he or she is unable to pay the court financial obligations,

1 ~~at which point the court may waive all or part of the debt owed. If~~
2 the total amount of court financial obligations owed is not
3 available at the time of the plea or sentencing, the court shall
4 inform the defendant that court financial obligations have been
5 incurred and the time and location where the defendant may learn of
6 the total amount owed.

7 2. a. The court shall order the defendant to appear
8 immediately after sentencing at the office of the
9 court clerk to provide current contact information ~~and~~
10 ~~to which shall include the residential address of the~~
11 ~~defendant, telephone number, cell phone number, and~~
12 ~~email address. At this time, the defendant shall~~
13 either select payment terms or request a cost hearing.
14 Failure to immediately report to the court clerk ~~as~~
15 ~~ordered by the court shall result in the full amount~~
16 ~~of court financial obligations to be due thirty (30)~~
17 ~~days from the date of the plea or sentencing in both~~
18 ~~district courts or thirty (30) days from the date of~~
19 ~~the plea or sentencing in court and municipal courts~~
20 ~~court, the suspension of the driving privileges and~~
21 ~~driver license of the defendant in this state, or in~~
22 ~~the home state of the defendant if the defendant is a~~
23 ~~nonresident, pursuant to the Nonresident Violator~~

Compact, and he or she may be subject to punishment for contempt.

3.

b. Payment terms of court financial obligations may be made under the following terms:

- a. either payment in full, or
- b. payment in installments.

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

3. a. If a defendant is unable or unwilling to pay in full his or her 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 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.

1 b. If a defendant enters into an agreement to pay in full
2 his or her court financial obligations but fails to
3 make payment in full within ninety (90) days of a plea
4 or sentence in the district court or within thirty
5 (30) days of a plea or sentence in the municipal
6 court, the court clerk shall immediately notify the
7 court that the defendant defaulted on his or her
8 agreement to make payment in full. Upon notice from
9 the court clerk that a defendant defaulted on his or
10 her agreement to make payment in full, the court shall
11 enter a cost judgment pursuant to Section 101 of Title
12 28 of the Oklahoma Statutes.

13 4. The district court for each county and all municipal courts
14 shall provide a cost hearing for any defendant upon request, either
15 by establishing a dedicated docket or on an as-requested basis. A
16 defendant who requests a cost hearing will receive a summons by
17 personal service or by United States mail to appear in court as
18 required by subsection G of this section. If a defendant fails to
19 appear for a requested cost hearing, the court may issue either a
20 cost cite and release warrant or a cost arrest warrant. No fees
21 shall be assessed or collected from the defendant as a consequence
22 of either requesting a cost hearing or the issuing of a cost cite
23 and release warrant.

1 D. In determining the ability of the defendant to pay court
2 financial obligations, the court may rely on testimony, relevant
3 documents, and any information provided by the defendant using a
4 cost hearing affidavit promulgated by the Court of Criminal Appeals.
5 In addition, the court may make inquiry of the defendant and
6 consider any other evidence or testimony concerning the ability of
7 the defendant to pay.

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

- 12 a. payment in full, or
- 13 b. payment in installments,
- 14 c.

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

- 19 a. financial incentive under a set of conditions
20 determined by the court, or
- 21 b. community service in lieu of payment; provided, the
22 defendant shall receive credit for no less than two
23 times the amount of the minimum wage specified

pursuant to state law for each hour of community service.

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

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

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

- a. when the total amount due has not been paid by the due date, or
- b. when ~~no any installment payments have payment has not~~
~~been received in the most recent ninety day period~~
within thirty (30) days of the due date.

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

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

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

3. At least fourteen (14) days prior to the immediately notify

12 the court that the defendant defaulted on his or her agreement to
13 make payment in full. Upon entering a cost hearing judgment, the
14 court clerk shall issue one summons to the defendant to be served by
15 United States mail to the mailing address of the defendant on file
16 in immediately refer the case, substantially as follows:

SUMMONS

18 You are ORDERED to appear for a COST HEARING at a specified
19 time, place, and date to determine if you are financially able to
20 pay the fines, costs, fees, or assessments or an installment due in
21 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

1 person prior to the court date, that the hearing be rescheduled for
2 no later than thirty (30) days after the scheduled time.

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

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

11 a. ~~courts.~~

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

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

18 c. ~~courts may refer a case to the court cost compliance~~
19 ~~program without the issuance of a warrant; provided, .~~

20 Every case in which the defendant is delinquent and
21 has had sufficient notice and opportunity has
22 defaulted in the established payment plan shall be
23 referred to have a the court cost hearing compliance
24 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 financial obligations remain unpaid judgment, and an itemized accounting of costs incurred and monies received.

H. 1. If a defendant is found by a law enforcement officer to be an outstanding cost cite and release warrant, the law enforcement officer shall issue a Warning/Notice to appear within (10) days of release from detention on the warrant to the court clerk of the court in which the court financial obligations are due. If the officer has the necessary equipment, the officer shall immediately transmit the Warning/Notice electronically to the court

1 clerk of the court in which the court financial obligations are
2 owed. The law enforcement officer shall not take the defendant into
3 custody on the cite and release warrant. If the law enforcement
4 officer is unable to transmit the Warning/Notice electronically to
5 the court clerk, the officer shall inform the appropriate department
6 staff member within the agency of the law enforcement officer of the
7 Warning/Notice within five (5) days. The department staff member
8 shall then promptly notify the law enforcement agency in the
9 jurisdiction that issued the warrant electronically who shall
10 promptly notify the court clerk. The electronic communication shall
11 be treated as a duplicate original for all purposes in any
12 subsequent hearings before the appropriate court.

13 2. If the defendant reports to the office of the court clerk
14 within the ten (10) days, the court clerk shall:

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

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

24

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

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

15 5. The provisions for issuing a separate summons described in
16 subsection C of this section shall not apply to a municipal court if
17 the municipal court has previously provided actual personal notice
18 to the defendant of an opportunity for a cost hearing. If such
19 notice was given and the defendant fails to appear, the municipal
20 court may issue either a cost cite and release warrant or a cost
21 arrest warrant.

22 6. All warrants for failure to appear at a cost hearing or for
23 failure to pay court financial obligations which have been issued
24 prior to the effective date of this act and which remain unserved,

1 shall be treated as cost cite and release warrants. All warrant
2 fees assessed for warrants for failure to appear at a cost hearing
3 or for failure to pay court financial obligations issued prior to
4 the effective date of this act shall remain in effect unless waived
5 by the court.

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

10 J. 1. After a cost hearing where a defendant is found able to
11 pay a court financial obligation, either in whole or in part, and
12 then becomes delinquent in that payment, a court may conduct a
13 willfulness hearing at any time beginning immediately after a cost
14 hearing has been held and a decision rendered on the court financial
15 obligations. Findings of a defendant's prior ability to pay may be
16 considered as evidence of ability to pay or willfulness at the
17 hearing. The requirements of this paragraph shall not be construed
18 to prohibit the court from holding subsequent cost hearings on the
19 same court financial obligations.

20 2. At a willfulness hearing, the court shall evaluate the
21 following:

22 a. whether a cost hearing has been held previously where
23 evidence relating to ability to pay was presented and
24 the court found the defendant was able to pay the

~~court financial obligations, either in whole or in part,~~

- b. whether there is any new evidence of ability to pay not previously considered or a change in circumstances since the cost hearing,
- c. whether the defendant was afforded sufficient time and opportunity to fulfill the obligation to pay the court financial obligations,
- d. whether the defendant made any efforts to satisfy the court financial obligations, and
- e. whether there are any other relevant facts or circumstances.

3. After a finding of willful failure to pay court financial 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

1 jail sentence may be satisfied upon payment in full of the
2 outstanding balance with credit for any time already served.

3 K. The district court or municipal court, within one hundred
4 twenty (120) days from the date upon which the person fails to
5 comply with the financial obligation as ordered by the court or
6 fails to appear for the offered cost or willfulness hearing, may, if
7 the defendant has previously been notified of the possibility of a
8 suspension, send notice of nonpayment of any court ordered financial
9 obligation for a moving traffic violation to Service Oklahoma with a
10 recommendation of suspension of driving privileges of the defendant
11 until the total amount of any court financial obligation has been
12 paid or waived by the court. Upon receipt of payment of the total
13 amount of the court financial obligations for the moving traffic
14 violation, the court shall send notice thereof to Service Oklahoma,
15 if a nonpayment notice was sent as provided for in this subsection.
16 Notices sent to Service Oklahoma shall be on forms or by a method
17 approved by Service Oklahoma.

18 L. Every county and district court of this state shall fully
19 utilize and participate in

20 c. When a case is referred to the court cost compliance
21 program. Cases shall be referred to, the court clerk
22 shall add the court cost compliance program no more
23 than sixty (60) days after the court has ordered the
24 referral pursuant to paragraph 4 of subsection G of

~~this section, unless administrative fee to the court financial obligation of the defendant pays the amount owed on the court financial obligation or an installment due. When the. The court refers a case, the updated contact information on file cost compliance administrative fee shall be forwarded paid to a the court cost compliance liaison for collection purposes as monies are recovered.~~

- d. As costs are recovered in cases which have been returned to the court cost compliance liaison, the entity that receives the costs shall keep its pro rata share and distribute the remainder to the other entity.
- e. Any additional court costs incurred by the court cost 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 4. 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:

1 Section 101. A. The fees herein provided for the clerk of the
2 district court and the sheriff, as provided in this section, and all
3 costs in the prosecution of all criminal actions shall, in case of
4 conviction of the defendant, be adjudged a part of the penalty of
5 the offense of which the defendant may be convicted, whether the
6 punishment for such offense be either imprisonment, or fine, or
7 both, and fixed either by the verdict of the jury, or judgment of
8 the court, trying the case, and if the defendant shall refuse to pay
9 the court financial obligations, the payment of such fees and costs,
10 in addition to the payment of the fine assessed, ~~shall~~ may be
11 enforced by suspension of the driving privileges and driver license
12 of the defendant in this state, or if the defendant is a
13 nonresident, in the home state of the defendant pursuant to the
14 Nonresident Violator Compact, or imprisonment until the same shall
15 be satisfied at a rate of up to One Hundred Dollars (\$100.00) per
16 day of such fees and costs, or fine, or both, or shall be satisfied
17 at a rate of up to Two Hundred Dollars (\$200.00) per day of such
18 fees and costs, or fine, or both, should the defendant perform
19 useful labor. If, at the time of sentencing or anytime thereafter,
20 the defendant is either without means to pay in full the fine fines,
21 fees or costs, or refuses to pay any fines, fees or costs, the total
22 amount owed ~~may~~ shall be entered as a judgment and thereupon the
23 same remedies shall be available for the enforcement of the judgment
24 as are available to any other judgment creditor.

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

18 C. Any judgment issued pursuant to this section shall not
19 become unenforceable as set forth in Section 735 of Title 12 of the
20 Oklahoma Statutes.

21 D. The judgment shall state:

22 1. The total amount of the court financial obligations of the
23 defendant;
24 2. The percentage of the collection fee and amount;

1 3. The amount of the collection fee, if known; and
2 4. That, pursuant to the provisions of this section, the
3 plaintiff shall have the same remedies available for the enforcement
4 of this judgment as are available to any other judgment creditor
5 including, but not limited to, authorization to obtain consumer
6 reports from any consumer reporting agency as it deems necessary for
7 the enforcement of this judgment.

8 The E. As used in this section, the term "all costs in the
9 prosecution of all criminal actions", ~~as used in this section,~~ shall
10 include all court financial obligations as defined in Section 983 of
11 Title 22 of the Oklahoma Statutes.

12 SECTION 5. This act shall become effective November 1, 2026.

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