

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4114

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4

5 AS INTRODUCED

6 An Act relating to motor vehicles; amending 22 O.S.
7 2021, Section 983, as last amended by Section 2,
8 Chapter 211, O.S.L. 2024 (22 O.S. Supp. 2025, Section
9 983), which relates to ability of defendant to pay
10 court financial obligations; removing license
11 suspension requirement for nonpayment of court-
12 ordered financial obligations; amending 47 O.S. 2021,
13 Section 6-206, as amended by Section 69, Chapter 282,
14 O.S.L. 2022 (47 O.S. Supp. 2025, Section 6-206),
15 which relates to authority of Department to suspend
16 licenses; removing process for suspension of license
17 for nonpayment of court-ordered financial
obligations; requiring Service Oklahoma remove
certain license suspensions by certain date;
requiring Service Oklahoma prepare and send certain
list; requiring courts issue order removing
suspension; prohibiting the collection of
reinstatement fee; authorizing the collection of
certain fees; requiring certain notification to
affected individuals; allowing reinstatement of
driving privileges at Service Oklahoma locations;
detailing reinstatement process; and providing an
effective date.

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

20 SECTION 1. AMENDATORY 22 O.S. 2021, Section 983, as last
21 amended by Section 2, Chapter 211, O.S.L. 2024 (22 O.S. Supp. 2025,
22 Section 983), is amended to read as follows:

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

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

11 2. "Cost cite and release warrant" means a warrant issued by a
12 court authorizing citation and release under the following
13 circumstances:
14 a. failure to comply with terms of a court financial
15 obligations payment plan, or
16 b. failure to appear at a cost hearing or willfulness
17 hearing;

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

22 4. "Court financial obligation" means all financial obligations
23 including fines, costs, fees, and assessments, imposed by the court

24

1 or required by law to be paid, excluding restitution or payments to
2 be made other than to the court clerk;

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

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

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

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

24

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

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

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

18 4. In determining the ability of a defendant to pay, the
19 following shall not be considered as income or assets:

- 20 a. child support income,
- 21 b. any monies received from a federal, state, or tribal
22 government need-based or disability assistance
23 program, or
- 24 c. assets exempt from bankruptcy.

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

4 a. designated as totally disabled by any federal, state,
5 or tribal disability services program including but
6 not limited to military disability, Social Security
7 Disability Insurance, Supplemental Security Income, or
8 tribal disability benefits,

9 b. receives support from the Temporary Assistance for
10 Needy Families program, Supplemental Nutrition
11 Assistance Program, the Special Supplemental Nutrition
12 Program for Women, Infants, and Children nutrition
13 education and supplemental food program, or any other
14 federal need-based financial support,

15 c. receives subsidized housing support through the
16 Housing Choice Voucher program, the United States
17 Department of Housing and Urban Development, or other
18 state, local, or federal government housing subsidy
19 program, or

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

22 C. 1. At the time of a plea or sentencing, the court shall
23 inform the defendant of the total court financial obligations owed,
24 the consequences of failing to pay the court financial obligations,

1 and that the defendant may request a cost hearing if at any time he
2 or she is unable to pay the court financial obligations, at which
3 point the court may waive all or part of the debt owed. If the
4 total amount of court financial obligations owed is not available at
5 the time of the plea or sentencing, the court shall inform the
6 defendant that court financial obligations have been incurred and
7 the time and location where the defendant may learn of the total
8 amount owed.

9 2. The court shall order the defendant to appear immediately
10 after sentencing at the office of the court clerk to provide current
11 contact information and to either select payment terms or request a
12 cost hearing. Failure to immediately report to the court clerk
13 shall result in the full amount of court financial obligations to be
14 due thirty (30) days from the date of the plea or sentencing in
15 district courts or thirty (30) days from the date of the plea or
16 sentencing in municipal courts.

17 3. Payment of court financial obligations may be made under the
18 following terms:

- 19 a. payment in full, or
- 20 b. payment in installments.

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

1 4. The district court for each county and all municipal courts
2 shall provide a cost hearing for any defendant upon request, either
3 by establishing a dedicated docket or on an as-requested basis. A
4 defendant who requests a cost hearing will receive a summons by
5 personal service or by United States mail to appear in court as
6 required by subsection G of this section. If a defendant fails to
7 appear for a requested cost hearing, the court may issue either a
8 cost cite and release warrant or a cost arrest warrant. No fees
9 shall be assessed or collected from the defendant as a consequence
10 of either requesting a cost hearing or the issuing of a cost cite
11 and release warrant.

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

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

23 a. payment in full,
24 b. payment in installments,

- c. financial incentive under a set of conditions determined by the court, or
- d. community service in lieu of payment; provided, the defendant shall receive credit for no less than two times the amount of the minimum wage specified pursuant to state law for each hour of community service.

2. 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 installment payments have been received in the most recent ninety-day period.

2. The court clerk shall periodically review cases for delinquency at least once every six (6) months and, upon identifying a delinquent defendant, notify the court which shall, within ten

1 (10) days thereafter, set a cost hearing for the court to determine
2 if the defendant is able to pay. The cost hearing shall be set
3 within forty-five (45) days of the issuance of the summons. The
4 hearing shall be set on a date that shall allow the court clerk to
5 issue a summons fourteen (14) days prior to the cost hearing.
6 Defendants shall incur no additional fees associated with the
7 issuance of the summons.

8 3. At least fourteen (14) days prior to the cost hearing, the
9 court clerk shall issue one summons to the defendant to be served by
10 United States mail to the mailing address of the defendant on file
11 in the case, substantially as follows:

12 SUMMONS

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

17 YOU MUST BE PRESENT AT THE HEARING.

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

22 THIS IS NOT AN ARREST WARRANT. However, if you fail to appear
23 for the cost hearing or pay the amount due, the court may issue a
24 WARRANT and may refer the case to a court cost compliance liaison

1 which will cause an additional administrative fee of up to thirty-
2 five percent (35%) to be added to the amount owed and may include
3 additional costs imposed by the court.

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

- 6 a. courts shall refer a case to the court cost compliance
7 program upon the issuance of a cost arrest warrant,
- 8 b. courts may refer a case to the court cost compliance
9 program upon the issuance of a cost cite and release
10 warrant, or
- 11 c. courts may refer a case to the court cost compliance
12 program without the issuance of a warrant; provided,
13 the defendant is delinquent and has had sufficient
14 notice and opportunity to have a cost hearing.

15 5. A municipal court, in lieu of mailing the summons provided
16 for in this subsection, may give the summons to the defendant in
17 person at the time of sentencing or subsequent appearance of a
18 specific date, time, and place, not fewer than thirty (30) days nor
19 more than one hundred twenty (120) days from the date of sentencing
20 to appear for a cost hearing if the court financial obligations
21 remain unpaid.

22 H. 1. If a defendant is found by a law enforcement officer to
23 have an outstanding cost cite and release warrant, the law
24 enforcement officer shall issue a Warning/Notice to appear within

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

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

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

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

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

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

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

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

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

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

23 2. At a willfulness hearing, the court shall evaluate the
24 following:

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

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

17 obligations, the court may impose a jail sentence pursuant to
18 Section 101 of Title 28 of the Oklahoma Statutes. A jail sentence
19 may be imposed only under the following circumstances:

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

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

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

20 L. Every county and district court of this state shall fully
21 utilize and participate in the court cost compliance program. Cases
22 shall be referred to the court cost compliance program no more than
23 sixty (60) days after the court has ordered the referral pursuant to
24 paragraph 4 of subsection G of this section, unless the defendant

1 pays the amount owed on the court financial obligation or an
2 installment due. When the court refers a case, the updated contact
3 information on file shall be forwarded to a court cost compliance
4 liaison for collection purposes.

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

9 SECTION 2. AMENDATORY 47 O.S. 2021, Section 6-206, as
10 amended by Section 69, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2025,
11 Section 6-206), is amended to read as follows:

12 Section 6-206. A. Whenever any person is convicted or pleads
13 guilty in any court having jurisdiction over offenses committed
14 under Section 1-101 et seq. of this title, or any other act or
15 municipal ordinance or act or ordinance of another state regulating
16 the operation of motor vehicles on highways, such court shall make
17 immediate report to Service Oklahoma setting forth the name of the
18 offender, the number of the driver license and the penalty imposed.
19 Said report shall be submitted by the judge or the clerk of the
20 court upon forms furnished or approved by Service Oklahoma.

21 B. Service Oklahoma, upon receipt of said report or upon
22 receipt of a report of a conviction in another state relating to the
23 operation of a motor vehicle, may in its discretion suspend the
24 driving privilege of such person for such period of time as in its

1 judgment is justified, subject to the limitations provided in this
2 title or any other act or municipal ordinance regulating the
3 operation of motor vehicles on highways. Any action taken by
4 Service Oklahoma shall be in addition to the penalty imposed by the
5 court subject to the limitations outlined by statute.

6 C. Service Oklahoma, upon receipt of a report of a conviction
7 in another state relating to the operation of a motor vehicle, may
8 in its discretion suspend the driving privilege of such person. Any
9 action taken by Service Oklahoma shall not exceed the penalty
10 imposed by a court or Service Oklahoma in the State of Oklahoma for
11 a violation substantially similar to the conviction in the other
12 jurisdiction which did not result in a revocation of Oklahoma
13 driving privileges.

14 D. ~~Following receipt of a notice of any nonpayment of fine and~~
15 ~~costs for a moving traffic violation with a recommendation of~~
16 ~~suspension of driving privileges of a defendant from any court~~
17 ~~within this state, as provided for in Section 983 of Title 22 of the~~
18 ~~Oklahoma Statutes, Service Oklahoma shall suspend the driving~~
19 ~~privilege of the named person no earlier than one hundred eighty~~
20 ~~(180) days after giving notice as provided in Section 2-116 of this~~
21 ~~title. A person whose license is subject to suspension pursuant to~~
22 ~~this section may avoid the effective date of the suspension or, if~~
23 ~~suspended, shall be eligible for reinstatement, if otherwise~~
24 ~~eligible, upon:~~

1 1. Making application to Service Oklahoma;
2 2. Showing proof of payment of the total amount of the fine and
3 cost or a release from the court or court clerk; and
4 3. Submitting the processing and reinstatement fees, as
5 provided for in Section 6-212 of this title.

6 Provided, however, in cases of hardship, as determined by the
7 court, or proof of enrollment in a federal or state government
8 assistance program, including, but not limited to, Social Security
9 or the Supplemental Nutrition Assistance Program, the person shall
10 be placed on a payment plan by the court, and the court shall send a
11 release to Service Oklahoma for reinstatement purposes. The court
12 may submit another suspension request pursuant to this section if
13 the person fails to honor the payment plan and it is found that the
14 person is financially able but willfully refuses or neglects to
15 honor the payment plan. In such case, Service Oklahoma shall again
16 suspend the person's driving privilege for nonpayment of fine and
17 costs for the same moving traffic violation. Upon reinstatement
18 after suspension for nonpayment of fine and costs for a moving
19 traffic violation Service Oklahoma may remove such record of
20 suspension from the person's driving record and retain an internal
21 record for audit purposes. A court within this state may order
22 Service Oklahoma to waive any requirement that fines and costs be
23 satisfied by a person prior to that person being eligible for a
24 provisional license provided under Section 6-212 of this title.

1 E. Upon the receipt of a record of conviction for eluding or
2 attempting to elude a peace officer, Service Oklahoma shall suspend
3 the driving privilege of the person:

4 1. For the first conviction as indicated on the driving record
5 of the person, for a period of six (6) months;

6 2. For the second conviction as indicated on the driving record
7 of the person, for a period of one (1) year. Such period shall not
8 be modified; and

9 3. For the third or subsequent conviction as indicated on the
10 driving record of the person, for a period of three (3) years. Such
11 period shall not be modified.

12 F. E. Any person whose driving privilege is so suspended under
13 the provisions of this section shall have the right of appeal, as
14 provided in Section 6-211 of this title.

15 F. 1. By November 30, 2026, Service Oklahoma shall remove all
16 suspensions of driving privileges or motor vehicle registrations
17 that were imposed before November 1, 2026, solely for nonpayment of
18 any court-ordered financial obligation arising from a moving traffic
19 violation. Service Oklahoma shall prepare a list of all individuals
20 whose driving privileges or registrations were suspended on this
21 basis and shall provide that list to the courts that ordered the
22 suspensions. Upon receipt, the courts shall issue an order
23 directing Service Oklahoma to remove the applicable suspensions.
24 Service Oklahoma shall not charge any reinstatement fee associated

1 with the removal of these suspensions, but may collect any
2 reinstatement fee otherwise required under Section 6-212 of this
3 title. Service Oklahoma shall notify each affected individual of
4 the removal of the suspension and of the process for reinstating the
5 individual's driver license or motor vehicle registration.

6 2. An individual whose suspension is removed pursuant to this
7 subsection may have the individual's driving privileges reinstated
8 at any Service Oklahoma location, provided the individual is not
9 suspended for any other reason. If the individual is subject to
10 another suspension, the individual may apply for reinstatement when
11 otherwise eligible. Service Oklahoma shall not charge any
12 reinstatement fee associated with the suspension removed pursuant to
13 this subsection, but may collect any reinstatement fee otherwise
14 required under Section 6-212 of this title.

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

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