

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 409

By: Newhouse

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6 AS INTRODUCED

7 An Act relating to criminal procedure; amending
8 Section 1, Chapter 392, O.S.L. 2016 (22 O.S. Supp.
9 2018, Section 983a), which relates to the courts
10 authority to waive fines, costs and fees; directing
11 waiver of certain fines, costs and fees upon certain
12 enrollment and completion; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY Section 1, Chapter 392, O.S.L.
16 2016 (22 O.S. Supp. 2018, Section 983a), is amended to read as
17 follows:

18 Section 983a. A. On or after November 1, 2016, the court shall
19 have the authority to waive all outstanding fines, court costs and
20 fees in a criminal case for any person who:

21 1. Served a period of imprisonment in the custody of the
22 Department of Corrections after conviction for a crime;

23 2. Has been released from the custody of the Department of
24 Corrections;

1 3. Has complied with all probation or supervision requirements
2 since being released from the custody of the Department of
3 Corrections; and

4 4. Has made installment payments on outstanding fines, court
5 costs, fees and restitution ordered by the court on a timely basis
6 every month for the previous twenty-four (24) months following
7 release from the custody of the Department of Corrections.

8 B. The court shall waive outstanding fines, court costs and
9 fees if the offender has secured admission to, is enrolled in and is
10 actively pursuing completion in a program of study in an
11 institution, which is a member of The Oklahoma State System of
12 Higher Education or technology center school or a workforce training
13 program intended to expand further employment opportunities. Upon
14 the offender's completion of each forty-hour work week during the
15 length of the program, the court shall waive the fines, court costs
16 and fees based on the equivalent value of the potential gross income
17 of the offender as established by the minimum wage rate of the state
18 as set forth in Section 197.2 of Title 40 of the Oklahoma Statutes.

19 C. The provisions of this section shall not apply to amounts
20 owed by the person for restitution to a victim pursuant to a court
21 order or child support obligations pursuant to a court order.

22 SECTION 2. This act shall become effective November 1, 2019.

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