

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 973

By: Gollihare

4
5
6 AS INTRODUCED

7 An Act relating to debt collection; prohibiting
8 certain contract with private debt collectors;
9 amending 28 O.S. 2021, Section 153, as amended by
10 Section 2, Chapter 237, O.S.L. 2022 (28 O.S. Supp.
11 2024, Section 153), which relates to costs in
12 criminal cases; conforming language; repealing 19
13 O.S. 2021, Sections 514.4, as last amended by Section
14 1, Chapter 211, O.S.L. 2024, and 514.5, as amended by
15 Section 2, Chapter 247, O.S.L. 2023 (19 O.S. Supp.
16 2024, Sections 514.4 and 514.5), which relate to the
17 court cost compliance program; providing for
18 codification; and providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 23 of Title 22, unless there is
22 created a duplication in numbering, reads as follows:

23 No court nor other state entity shall contract with a private
24 debt collector or private debt collection agency to collect
25 outstanding criminal fines, fees, costs, or restitution of any
26 individual.

1 SECTION 2. AMENDATORY 28 O.S. 2021, Section 153, as
2 amended by Section 2, Chapter 237, O.S.L. 2022 (28 O.S. Supp. 2024,
3 Section 153), is amended to read as follows:

4 Section 153. A. The clerks of the courts shall collect as
5 costs in every criminal case for each offense of which the defendant
6 is convicted, irrespective of whether or not the sentence is
7 deferred, the following flat charges and no more, except for
8 standing and parking violations and for charges otherwise provided
9 for by law, which fee shall cover docketing of the case, filing of
10 all papers, issuance of process, warrants, orders, and other
11 services to the date of judgment:

- 12 1. For each defendant convicted of
13 exceeding the speed limit by at least
14 one (1) mile per hour but not more than
15 ten (10) miles per hour, whether charged
16 individually or conjointly with others.....\$77.00
- 17 2. For each defendant convicted of a
18 misdemeanor traffic violation other than
19 an offense provided for in paragraph 1
20 or 5 of this subsection, whether charged
21 individually or conjointly with others.....\$98.00
- 22 3. For each defendant convicted of a
23 misdemeanor, other than for driving
24 under the influence of alcohol or other

1 intoxicating substance or an offense
2 provided for in paragraph 1 or 2 of this
3 subsection, whether charged individually
4 or conjointly with others.....\$93.00

5 4. For each defendant convicted of a
6 felony, other than for driving under the
7 influence of alcohol or other
8 intoxicating substance, whether charged
9 individually or conjointly with others.....\$103.00

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

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

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

23 8. For each time a jury is requested.....\$30.00
24

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

5 a. within the county..... \$50.00, or
6 mileage as
7 established by the
8 Oklahoma Statutes,
9 whichever is
10 greater, or

11 b. outside of the county..... \$50.00, or
12 actual, necessary
13 expenses, whichever
14 is greater

15 B. In addition to the amount collected pursuant to paragraphs 2
16 through 6 of subsection A of this section, the sum of Six Dollars
17 (\$6.00) shall be assessed and credited to the Law Library Fund
18 pursuant to Section 1201 et seq. of Title 20 of the Oklahoma
19 Statutes.

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

1 assessed and collected in every misdemeanor case for each offense;
2 the sum of Thirty Dollars (\$30.00) shall be assessed and collected
3 in every misdemeanor case for each offense for driving under the
4 influence of alcohol or other intoxicating substance; the sum of
5 Fifty Dollars (\$50.00) shall be assessed and collected in every
6 felony case for each offense; and the sum of Fifty Dollars (\$50.00)
7 shall be assessed and collected in every felony case for each
8 offense for driving under the influence of alcohol or other
9 intoxicating substance.

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

15 E. In addition to the amount collected pursuant to paragraphs 1
16 through 6 of subsection A of this section, the sum of Ten Dollars
17 (\$10.00) shall be assessed and credited to the Sheriff's Service Fee
18 Account in the county in which the conviction occurred for the
19 purpose of enhancing existing or providing additional courthouse
20 security.

21 F. In addition to the amounts collected pursuant to paragraphs
22 1 through 6 of subsection A of this section, the sum of Three
23 Dollars (\$3.00) shall be assessed and credited to the Office of the
24 Attorney General Victim Services Unit.

1 G. In addition to the amounts collected pursuant to paragraphs
2 1 through 6 of subsection A of this section, the sum of Three
3 Dollars (\$3.00) shall be assessed and credited to the Child Abuse
4 Multidisciplinary Account. This fee shall not be used for purposes
5 of hiring or employing any law enforcement officers.

6 H. In addition to the amount collected pursuant to paragraphs 5
7 and 6 of subsection A of this section, the sum of Fifteen Dollars
8 (\$15.00) shall be assessed in every misdemeanor or felony case for
9 each offense of driving under the influence of alcohol or other
10 intoxicating substance and credited to the Oklahoma Impaired Driver
11 Database Revolving Fund created pursuant to Section 11-902d of Title
12 47 of the Oklahoma Statutes.

13 I. Prior to conviction, parties in criminal cases shall not be
14 required to pay, advance, or post security for the issuance or
15 service of process to obtain compulsory attendance of witnesses.

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

19 K. The fees collected pursuant to this section shall be
20 deposited into the court fund, except the following:

21 1. ~~A court clerk issuing a misdemeanor warrant is entitled to~~
22 ~~ten percent (10%) of the sheriff's service fee, provided for in~~
23 ~~paragraph 9 of subsection A of this section, collected on a warrant~~
24 ~~referred to the contractor for the misdemeanor warrant notification~~

1 ~~program governed by Sections 514.4 and 514.5 of Title 19 of the~~
2 ~~Oklahoma Statutes. This ten-percent sum shall be deposited into the~~
3 ~~issuing Court Clerk's Revolving Fund, created pursuant to Section~~
4 ~~220 of Title 19 of the Oklahoma Statutes, of the court clerk issuing~~
5 ~~the warrant with the balance of the sheriff's service fee to be~~
6 ~~deposited into the Sheriff's Service Fee Account, created pursuant~~
7 ~~to the provisions of Section 514.1 of Title 19 of the Oklahoma~~
8 ~~Statutes, of the sheriff in the county in which service is made or~~
9 ~~attempted. Otherwise, the sheriff's service fee, when collected,~~
10 ~~shall be deposited in its entirety into the Sheriff's Service Fee~~
11 ~~Account of the sheriff in the county in which service is made or~~
12 ~~attempted;~~

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

15 3. 2. The witness fees paid by the district attorney pursuant
16 to the provisions of Section 82 of this title which, if collected by
17 the court clerk, shall be transferred to the district attorney's
18 office in the county where witness attendance was required. Fees
19 transferred pursuant to this paragraph shall be deposited in the
20 district attorney's maintenance and operating expense account;

21 4. 3. The fees provided for in subsection C of this section
22 shall be forwarded to the District Attorneys Council Revolving Fund
23 to defray the costs of prosecution; and
24

1 ~~5.~~ 4. The following amounts of the fees provided for in
2 paragraphs 2, 3, 5 and 6 of subsection A of this section, when
3 collected, shall be deposited in the Trauma Care Assistance
4 Revolving Fund, created pursuant to the provisions of Section 1-
5 2530.9 of Title 63 of the Oklahoma Statutes:

6 a. Ten Dollars (\$10.00) of the Ninety-eight-Dollar fee
7 provided for in paragraph 2 of subsection A of this
8 section,

9 b. Ten Dollars (\$10.00) of the Ninety-three-Dollar fee
10 provided for in paragraph 3 of subsection A of this
11 section,

12 c. One Hundred Dollars (\$100.00) of the Four-Hundred-
13 Thirty-three-Dollar fee provided for in paragraph 5 of
14 subsection A of this section, and

15 d. One Hundred Dollars (\$100.00) of the Four-Hundred-
16 Thirty-three-Dollar fee provided for in paragraph 6 of
17 subsection A of this section.

18 L. As used in this section, "convicted" means any final
19 adjudication of guilt, whether pursuant to a plea of guilty or nolo
20 contendere or otherwise, and any deferred judgment or suspended
21 sentence.

22 M. A court clerk may accept in payment for any fee, fine,
23 forfeiture payment, cost, penalty assessment or other charge or
24 collection to be assessed or collected by a court clerk pursuant to

1 this section a nationally recognized credit card or debit card or
2 other electronic payment method as provided in paragraph 1 of
3 subsection B of Section 151 of this title.

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

7 SECTION 3. REPEALER 19 O.S. 2021, Section 514.4, as last
8 amended by Section 1, Chapter 211, O.S.L. 2024 (19 O.S. Supp. 2024,
9 Section 514.4), is hereby repealed.

10 SECTION 4. REPEALER 19 O.S. 2021, Section 514.5, as
11 amended by Section 2, Chapter 247, O.S.L. 2023 (19 O.S. Supp. 2024,
12 Section 514.5), is hereby repealed.

13 SECTION 5. This act shall become effective November 1, 2025.

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