

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1399

By: Walker

AS INTRODUCED

An Act relating to public health and safety; amending 63 O.S. 1991, Section 2-416, which relates to apportionment of fines; modifying apportionment of certain fines; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 2-416, is amended to read as follows:

Section 2-416. The fines specified in Section ~~2~~ 2-415 of this ~~act~~ title shall be apportioned as follows:

1. ~~Twenty-five percent (25%)~~ Twenty percent (20%) shall be distributed to the revolving fund established pursuant to the provisions of Section 2-506 of ~~Title 63 of the Oklahoma Statutes~~ this title to be used for enforcement of the Uniform Controlled Dangerous Substances Act; ~~and~~

2. ~~Twenty-five percent (25%)~~ Twenty percent (20%) shall be distributed to the municipality, county, or state agency or agencies which conducted the investigation. The amount distributed to a municipality or county shall be placed in a revolving fund to be used for law enforcement purposes. This fund shall be limited to Two Hundred Thousand Dollars (\$200,000.00) at any one time in municipalities and counties with population in excess of three hundred thousand (300,000) and Fifty Thousand Dollars (\$50,000.00) at any one time in municipalities and counties with population less than three hundred thousand (300,000). This fund shall be audited

by the State Auditor and Inspector at least every two (2) years in the manner provided in Section 171 of Title 19 of the Oklahoma Statutes. Said audit shall include, but not be limited to, a compliance audit. Any amount in excess of these figures distributed to a municipality or county shall be placed in the general fund of the municipality or county. The amount distributed to a state agency shall be placed in the applicable revolving fund or special agency account of said agency to be used for law enforcement purposes. If more than one law enforcement agency participates in the investigation, the amount to be distributed shall be divided among the agencies in proportion to the amount of work performed by each agency involved in the investigation, as determined by the district court; ~~and~~

3. ~~Twenty-five percent (25%)~~ Twenty percent (20%) shall be distributed to the Drug Abuse Education Revolving Fund to be used for drug abuse education programs within the State Department of Education; ~~and~~

4. ~~Twenty-five percent (25%)~~ Twenty percent (20%) shall be distributed to the court fund; and

5. Twenty percent (20%) shall be distributed to the general fund of the county to be used for the maintenance and operation of the jail.

SECTION 2. This act shall become effective July 1, 2001.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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