

CS for EHB 1430

1 THE STATE SENATE
2 Monday, April 7, 2003

3 Committee Substitute for
4 ENGROSSED
5 House Bill No. 1430

6 COMMITTEE SUBSTITUTE FOR ENGROSSED HOUSE BILL NO. 1430 - By:
7 CARGILL, EASLEY, PHILLIPS, MITCHELL, EDDINS, SMITHSON, GILBERT,
8 STEELE and BALKMAN of the House and EASLEY, ALDRIDGE, LAWLER and
9 MONSON of the Senate.

10 [intoxicating liquors - transporting open containers -
11 Substance Abuse Treatment Revolving Fund - codification -
12 effective date]

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

14 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1220, is
15 amended to read as follows:

16 Section 1220. It shall be unlawful for any person to knowingly
17 transport in any moving vehicle upon a public highway, street or
18 alley any intoxicating beverage or low-point beer, as defined by
19 Sections 163.1 and 163.2 of Title 37 of the Oklahoma Statutes,
20 except in the original container which shall not have been opened
21 and from which the original cap or seal shall not have been removed,
22 unless the opened container be in the rear trunk or rear
23 compartment, which shall include the spare tire compartment in a
24 station wagon or panel truck, or any outside compartment which is
25 not accessible to the driver or any other person in the vehicle
26 while it is in motion. Any person violating the provisions of this

1 section shall be deemed guilty of a misdemeanor, and upon conviction
2 shall be punished by a fine of not ~~more~~ less than Fifty Dollars
3 (\$50.00) nor more than One Hundred Fifty Dollars (\$150.00), and
4 shall be subject to a driving under the influence (DUI) assessment
5 pursuant to the provisions of Section 3-460 of Title 43A of the
6 Oklahoma Statutes. For any fine imposed in excess of Fifty Dollars
7 (\$50.00), the remainder of such fine above Fifty Dollars (\$50.00)
8 shall be deposited in the Substance Abuse Treatment Revolving Fund.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 2-311 of Title 43A, unless there
11 is created a duplication in numbering, reads as follows:

12 There is hereby created in the State Treasury a revolving fund
13 for the Department of Mental Health and Substance Abuse Services to
14 be designated the "Substance Abuse Treatment Revolving Fund". The
15 fund shall be a continuing fund, not subject to fiscal year
16 limitations, and shall consist of all monies received by the
17 Department of Mental Health and Substance Abuse Services from fines
18 for violation of Section 1220 of Title 21 of the Oklahoma Statutes.
19 All monies accruing to the credit of said fund are hereby
20 appropriated and may be budgeted and expended by the Department of
21 Mental Health and Substance Abuse Services for the purpose of
22 community mental health centers and substance abuse treatment
23 programs. Expenditures from said fund shall be made upon warrants

1 issued by the State Treasurer against claims filed as prescribed by
2 law with the Director of State Finance for approval and payment.

3 SECTION 3. This act shall become effective November 1, 2003.

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-03 - DO
5 PASS, As Amended and Coauthored.