

SB 1400

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THE STATE SENATE
Wednesday, February 11, 2004

Senate Bill No. 1400

SENATE BILL NO. 1400 - By: HORNER of the Senate and GILBERT of the House.

An Act relating to juveniles; amending Section 1, Chapter 110, O.S.L. 2003 (19 O.S. Supp. 2003, Section 339.6), which relates to establishing curfews for juveniles; requiring certain compliance with state and federal laws; modifying penalty; removing jail term; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 110, O.S.L. 2003 (19 O.S. Supp. 2003, Section 339.6), is amended to read as follows:

Section 339.6 A. The board of county commissioners of any county of this state having a population of more than five hundred thousand (500,000) persons according to the last federal decennial census, by resolution, may determine a curfew for juveniles that will apply to all unincorporated areas of the county. The parameters of the curfew shall be determined by the board and all penalty provisions shall comply with the provisions of Title 10 of the Oklahoma Statutes and federal law concerning detention and custody of juveniles.

B. The board shall provide public notice of the curfew in a newspaper of general circulation in the county. The notice shall be published once weekly for a period of four (4) continuous weeks.

(Bold face denotes Committee Amendments)

1 C. The county shall correspond and work in conjunction with any
2 appropriate state agency, if assistance is required in producing
3 signs and posting the curfew.

4 D. The county shall post curfew information, as determined
5 pursuant to subsections A through C of this section, on the county
6 line marker where any state highway enters a county and at all off-
7 ramps where interstate highways or turnpikes enter a county, unless
8 a state agency has such jurisdiction to properly post signs. The
9 appropriate board of county commissioners shall reimburse any state
10 agency that may assist for the full cost of the required signage.

11 E. Any person convicted of a curfew violation pursuant to this
12 section shall be ~~guilty of a misdemeanor and subject to a minimum~~
13 ~~fine of~~ fined an amount not exceeding Twenty-five Dollars (\$25.00).
14 Any person convicted of a second or subsequent curfew violation
15 shall be ~~guilty of a misdemeanor and be subject to a fine of up to~~
16 fined an amount not exceeding One Hundred Dollars (\$100.00) ~~or by~~
17 ~~imprisonment in the county jail for a term of not less than one (1)~~
18 ~~day, nor more than thirty (30) days, or by both fine and~~
19 ~~imprisonment,~~ or assigned not more than thirty (30) hours of
20 community service, or both such fine and community service hours.

21 SECTION 2. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.
3 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-10-04 - DO
4 PASS, As Coauthored.