

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1255

By: Gilbert

AS INTRODUCED

An Act relating to counties and county officers; amending Section 1, Chapter 110, O.S.L. 2003, as amended by Section 1, Chapter 355, O.S.L. 2004 (19 O.S. Supp. 2004, Section 339.6), which relates to curfew for juveniles; modifying applicability to unincorporated areas; clarifying sign posting requirement; providing an effective date; 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, as amended by Section 1, Chapter 355, O.S.L. 2004 (19 O.S. Supp. 2004, 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~~ any unincorporated areas of the county that the board determines is necessary. 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.

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

D. The county shall post curfew information, as determined pursuant to subsections A through C of this section, ~~on the county line marker where any state highway enters a county and at all off-ramps where interstate highways or turnpikes enter a county, unless a state agency has such jurisdiction to properly post signs in areas~~ of the county that the board deems appropriate and consistent with the resolution creating the curfew and its boundaries. The appropriate board of county commissioners shall reimburse any state agency that may assist for the full cost of the required signage.

E. Any person convicted of a curfew violation pursuant to this section shall be fined an amount not exceeding Twenty-five Dollars (\$25.00). Any person convicted of a second or subsequent curfew violation shall be fined an amount not exceeding One Hundred Dollars (\$100.00), or assigned not more than thirty (30) hours of community service, or both such fine and community service hours.

SECTION 2. This act shall become effective July 1, 2005.

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.

50-1-5052

MD

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