

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 3323

By: Lindley

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6 AS INTRODUCED

7 An Act relating to crimes and punishments; creating
8 the Felony and Misdemeanor Examination Task Force;
9 providing for membership; providing for appointment
10 of cochairs; providing for travel reimbursement;
11 providing for administrative support; providing for
12 duties; requiring report; providing for
13 noncodification; providing an effective date; and
14 declaring an emergency.

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

16 SECTION 1. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 A. There is hereby created, to continue until February 1, 2010,
19 the "Felony and Misdemeanor Examination Task Force".

20 B. The Task Force shall consist of nine (9) members:

21 1. Two members of the Oklahoma House of Representatives
22 appointed by the Speaker of the Oklahoma House of Representatives;

23 2. Two members of the State Senate appointed by the President
24 Pro Tempore of the State Senate;

3. The Commissioner of the Department of Mental Health and
Substance Abuse Services, or a designee;

1 4. The Director of the Department of Corrections, or a
2 designee;

3 5. The Executive Coordinator of the District Attorneys Council,
4 or a designee;

5 6. The Executive Director of the Pardon and Parole Board, or a
6 designee; and

7 7. The Director of the Oklahoma State Bureau of Narcotics and
8 Dangerous Drugs Control, or a designee.

9 C. The Speaker of the House of Representatives and the
10 President Pro Tempore of the Senate shall each designate a cochair
11 of the Task Force. The cochairs shall convene the first meeting of
12 the Task Force. The Task Force shall meet as often as necessary.

13 D. Appointments to the Task Force shall be made by September 1,
14 2008. Any vacancies on the Task Force shall be filled by the
15 original appointing authority.

16 E. Nonlegislative members of the Task Force shall be reimbursed
17 by their respective agencies for necessary travel expenses incurred
18 in the performance of duties pursuant to the provisions of the State
19 Travel Reimbursement Act. Legislative members of the Task Force
20 shall be reimbursed for necessary travel expenses incurred in the
21 performance of duties in accordance with the provisions of Section
22 456 of Title 74 of the Oklahoma Statutes.

23 F. Administrative support for the Task Force including, but not
24 limited to, personnel necessary to ensure the proper performance of

1 the duties and responsibilities of the Task Force, shall be provided
2 by the Oklahoma Criminal Justice Resource Center to be supplemented,
3 if necessary, by the state agencies involved in the Task Force, and
4 the staff of the Oklahoma House of Representatives and the State
5 Senate. All participating state agencies shall provide for any
6 administrative support requested by the Task Force.

7 G. The Task Force shall:

8 1. Assess the total number of crimes defined in statute as
9 felony and misdemeanor offenses;

10 2. Review the number and types of felony and misdemeanor
11 offenses to determine if Oklahoma has a disproportionate number of
12 felony offenses which could be classified as misdemeanors;

13 3. Review and make recommendations on the classification of
14 felony and misdemeanor crimes associated with drug or alcohol abuse
15 to determine how Oklahoma's criminal penalties for those types of
16 crime compare regionally and nationally; and

17 4. Review and make recommendations on the appropriate use of
18 alternative community corrections and community sentencing for
19 felony and misdemeanor crimes associated with drug or alcohol abuse.

20 H. The Task Force shall publish a report of findings and
21 recommendations by February 1, 2010, including recommendations for
22 any resulting legislation.

23 SECTION 2. This act shall become effective July 1, 2008.

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

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