

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

## FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend the amendment to House Bill No. 1707 (req. #1890 by Senator Leftwich, Page 11, Line 20 1/2), by striking all language in the amendment and inserting language to read as follows:

Renumber subsequent section; and

Amend the title to conform.

Submitted by:

\_\_\_\_\_  
Senator Leftwich

Leftwich-NP-FA-Req#1897  
4/13/2009 3:40 PM

1 "SECTION 2. AMENDATORY 21 O.S. 2001, Section 858.3, is  
2 amended to read as follows:

3 Section 858.3 ~~Any~~ A. It shall be unlawful for any person who  
4 to knowingly and willfully:

5 1. ~~Causes, aids, abets or encourages~~ Cause, aid, abet or  
6 encourage a minor to be, to remain or to become delinquent, in need  
7 of supervision or dependent and neglected, ~~or;~~

8 2. ~~Omits~~ Omit the performance of any duty, which act or  
9 omission causes or tends to cause, aid, abet, or encourage any minor  
10 to be delinquent, in need of supervision or dependent and neglected,  
11 within the purview of the Oklahoma Children's Code or the Oklahoma  
12 Juvenile Code; or

13 3. Permit, aid, abet or encourage or omit the performance of  
14 any duty to deter any person under twenty-one (21) years of age to  
15 unlawfully possess or consume any alcoholic beverage as defined by  
16 Section 506 of Title 37 of the Oklahoma Statutes, any low-point beer  
17 as defined by Section 163.2 of Title 37 of the Oklahoma Statutes,  
18 any controlled dangerous substance as defined by the Uniform  
19 Controlled Dangerous Substances Act, or any combination thereof,  
20 while upon the premises owned, occupied, or controlled by such  
21 person.

22 B. Any person violating any provision of this section, upon  
23 conviction, shall be guilty of a misdemeanor and, as applicable,  
24 shall be punished pursuant punishable by imprisonment in the county

1 jail for a term of not more than one (1) year, or by a fine not  
2 exceeding One Thousand Dollars (\$1,000.00), or by both such fine and  
3 imprisonment. Any person convicted of a second or subsequent  
4 violation of this section shall be guilty of a misdemeanor  
5 punishable by imprisonment in the county jail for a term of not more  
6 than one (1) year, or by a fine not exceeding Five Thousand Dollars  
7 (\$5,000.00), or by both such fine and imprisonment. The penalties  
8 provided in this section shall be in addition to the provisions of  
9 Section 856, 858.1 or 858.2 of Title 21 of the Oklahoma Statutes.

10 SECTION 3. AMENDATORY 21 O.S. 2001, Section 1215, as  
11 amended by Section 5, Chapter 61, O.S.L. 2006 (21 O.S. Supp. 2008,  
12 Section 1215), is amended to read as follows:

13 Section 1215. It shall be unlawful for any person under the age  
14 of twenty-one (21) years to be in the possession of any intoxicating  
15 beverage containing more than three and two-tenths percent (3.2%)  
16 alcohol by weight or any low-point beer as defined by Section 163.2  
17 of Title 37 of the Oklahoma Statutes while such person is upon any  
18 public street, road, or highway, or in any public building or place,  
19 or upon any private premises without lawful authority pursuant to  
20 Section 537 of Title 37 of the Oklahoma Statutes or other provision  
21 of law.

22 SECTION 4. AMENDATORY 21 O.S. 2001, Section 1216, is  
23 amended to read as follows:

24

1 Section 1216. Any person violating the provisions of Section ~~1~~  
2 1215 of this ~~act~~ title shall be guilty of a misdemeanor and upon  
3 conviction thereof shall be punished by imprisonment in the county  
4 jail not to exceed thirty (30) days or by ~~payment of~~ a fine not ~~to~~  
5 ~~exceed One Hundred Dollars (\$100.00)~~ exceeding Five Hundred Dollars  
6 (\$500.00), or by both such fine and imprisonment."

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