

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 2250

By: Terrill

4  
5  
6 AS INTRODUCED

7 An Act relating to the Oklahoma State Bureau of  
8 Narcotics and Dangerous Drugs Control; amending 20  
9 O.S. 2001, Section 1313.2, as last amended by Section  
10 2, Chapter 437, O.S.L. 2008 (20 O.S. Supp. 2008,  
11 Section 1313.2), which relates to fee assessments for  
12 felony and misdemeanor convictions; deleting fee  
13 assessment for certain conviction; adding fee  
14 assessment for convictions of certain crimes;  
15 directing the deposit of fees; providing for the  
16 remittance of fee into certain revolving fund;  
17 amending 63 O.S. 2001, Section 2-106, as amended by  
18 Section 10, Chapter 170, O.S.L. 2008 and Section 1,  
19 Chapter 437, O.S.L. 2008 (63 O.S. Supp. 2008,  
20 Sections 2-106 and 2-107a), which relate to the  
21 Uniform Controlled Dangerous Substances Act;  
22 authorizing the purchase and maintenance of vehicles  
23 and equipment; modifying statutory reference;  
24 amending 63 O.S. 2001, Section 2-310, which relates  
to samples of controlled dangerous substances;  
updating language; amending 63 O.S. 2001, Sections 2-  
410, as amended by Section 1, Chapter 308, O.S.L.  
2008 and 2-411 (63 O.S. Supp. 2008, Section 2-410),  
which relate to prohibited acts and penalties;  
prohibiting consideration for deferred judgment and  
expungement proceedings due to violating provisions  
of certain act; increasing certain fine amount;  
amending 63 O.S. 2001, Section 2-508, as last amended  
by Section 16, Chapter 168, O.S.L. 2004 (63 O.S.  
Supp. 2008, Section 2-508), which relates to the  
disposition of seized property; modifying statutory  
references; updating reference to certain revolving  
fund; deleting agency from certain notification  
requirement; amending 70 O.S. 2001, Section 1210.224,  
which relates to the Drug Abuse Education Act of  
1972; updating agency designation; amending 74 O.S.

1 2001, Sections 78, as last amended by Section 1,  
2 Chapter 169, O.S.L. 2007 and 78a (74 O.S. Supp. 2008,  
3 Section 78), which relate to the Fleet Management  
4 Division within the Department of Central Services  
5 and motor vehicle requisitions; adding agency to list  
6 of entities exempt from oversight; exempting agency  
7 from motor vehicle requisition requirements; and  
8 providing an effective date.

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

10 SECTION 1. AMENDATORY 20 O.S. 2001, Section 1313.2, as  
11 last amended by Section 2, Chapter 437, O.S.L. 2008 (20 O.S. Supp.  
12 2008, Section 1313.2), is amended to read as follows:

13 Section 1313.2 A. As used in this section:

14 1. "Convicted" means any final adjudication of guilt, whether  
15 pursuant to a plea of guilty or nolo contendere or otherwise, and  
16 any deferred or suspended sentence or judgment;

17 2. "Court" means any state or municipal court having  
18 jurisdiction to impose a criminal fine or penalty; and

19 3. "DNA" means Deoxyribonucleic acid.

20 B. Any person convicted of an offense, including traffic  
21 offenses but excluding parking and standing violations, punishable  
22 by a fine of Ten Dollars (\$10.00) or more or by incarceration or any  
23 person forfeiting bond when charged with such an offense, shall be  
24 ordered by the court to pay Nine Dollars (\$9.00) as a separate fee,  
which fee shall be in addition to and not in substitution for any

1 and all fines and penalties otherwise provided for by law for such  
2 offense.

3 C. 1. Any person convicted of any misdemeanor or felony  
4 offense shall pay a Laboratory Analysis Fee in the amount of One  
5 Hundred Fifty Dollars (\$150.00) for each offense if forensic science  
6 or laboratory services are rendered or administered by the Oklahoma  
7 State Bureau of Investigation, by the Toxicology Laboratory of the  
8 Office of the Chief Medical Examiner or by any municipality or  
9 county in connection with the case. This fee shall be in addition  
10 to and not a substitution for any and all fines and penalties  
11 otherwise provided for by law for this offense.

12 2. The court clerk shall cause to be deposited the amount of  
13 One Hundred Fifty Dollars (\$150.00) as collected, for every  
14 conviction as described in this subsection. The court clerk shall  
15 remit the monies in the fund on a monthly basis directly either to:

16 a. the Oklahoma State Bureau of Investigation who shall  
17 deposit the monies into the OSBI Revolving Fund  
18 provided for in Section 150.19a of Title 74 of the  
19 Oklahoma Statutes for services rendered or  
20 administered by the Oklahoma State Bureau of  
21 Investigation,

22 b. the Office of the Chief Medical Examiner who shall  
23 deposit the monies into the Office of the Chief  
24 Medical Examiner Toxicology Laboratory Revolving Fund

1 provided for in Section 954 of Title 63 of the  
2 Oklahoma Statutes for services rendered or  
3 administered by the Toxicology Laboratory of the  
4 Office of the Chief Medical Examiner, or

- 5 c. the appropriate municipality or county for services  
6 rendered or administered by a municipality or county.

7 3. The monies from the Laboratory Analysis Fee Fund deposited  
8 into the OSBI Revolving Fund shall be used for the following:

- 9 a. providing criminalistic laboratory services,  
10 b. the purchase and maintenance of equipment for use by  
11 the laboratory in performing analysis,  
12 c. education, training, and scientific development of  
13 Oklahoma State Bureau of Investigation personnel, and  
14 d. the destruction of seized property and chemicals as  
15 prescribed in Sections 2-505 and 2-508 of Title 63 of  
16 the Oklahoma Statutes.

17 ~~D. 1. Any person entering a plea of guilty or nolo contendere~~  
18 ~~to the crime of misdemeanor possession of marijuana shall be ordered~~  
19 ~~by the court to pay a five dollar fee, which shall be in addition to~~  
20 ~~and not in substitution for any and all fines and penalties~~  
21 ~~otherwise provided for by law for such offense.~~

22 ~~2. The court clerk shall cause to be deposited the amount of~~  
23 ~~Five Dollars (\$5.00) as collected, for every adjudicated or~~  
24 ~~otherwise convicted person as described in this subsection. The~~

1 ~~court clerk shall remit the monies in the fund on a monthly basis~~  
2 ~~directly to the Bureau of Narcotics Drug Education Revolving Fund.~~

3 E. Upon conviction or bond forfeiture, the court shall collect  
4 the fee provided for in subsection B of this section and deposit it  
5 in an account created for that purpose. Except as otherwise  
6 provided in subsection ~~F~~ E of this section, monies shall be  
7 forwarded monthly by the court clerk to the Council on Law  
8 Enforcement Education and Training. Beginning July 1, 2003,  
9 deposits shall be due on the fifteenth day of each month for the  
10 preceding calendar month. There shall be a late fee imposed for  
11 failure to make timely deposits; provided, the Council on Law  
12 Enforcement Education and Training, in its discretion, may waive all  
13 or part of the late fee. Such late fee shall be one percent (1%) of  
14 the principal amount due per day beginning from the tenth day after  
15 payment is due and accumulating until the late fee reaches one  
16 hundred percent (100%) of the principal amount due. Beginning on  
17 July 1, 1987, ninety percent (90%) of the monies received by the  
18 Council on Law Enforcement Education and Training from the court  
19 clerks pursuant to this section shall be deposited in the CLEET  
20 Fund, and ten percent (10%) shall be deposited in the General  
21 Revenue Fund. Beginning January 1, 2001, sixty and fifty-three one-  
22 hundredths percent (60.53%) of the monies received by the Council on  
23 Law Enforcement Education and Training from the court clerks  
24 pursuant to this section shall be deposited in the CLEET Fund

1 created pursuant to subsection G of this section, five and eighty-  
2 three one-hundredths percent (5.83%) shall be deposited in the  
3 General Revenue Fund and thirty-three and sixty-four one-hundredths  
4 percent (33.64%) shall be deposited in the CLEET Training Center  
5 Revolving Fund created pursuant to Section 3311.6 of Title 70 of the  
6 Oklahoma Statutes. Along with the deposits required by this  
7 subsection, each court shall also submit a report stating the total  
8 amount of funds collected and the total number of fees imposed  
9 during the preceding quarter. The report may be made on  
10 computerized or manual disposition reports.

11 ~~F.~~ E. Any municipality or county having a basic law enforcement  
12 academy approved by the Council on Law Enforcement Education and  
13 Training pursuant to the criteria developed by the Council for  
14 training law enforcement officers shall retain from monies collected  
15 pursuant to this section, Two Dollars (\$2.00) from each fee. These  
16 monies shall be deposited into an account for the sole use of the  
17 municipality or county in implementing its law enforcement training  
18 functions. Not more than seven percent (7%) of the monies shall be  
19 used for court and prosecution training. The court clerk of any  
20 such municipality or county shall furnish to the Council on Law  
21 Enforcement Education and Training the report required by subsection  
22 D of this section.

23 F. 1. Any person entering a plea of guilty or nolo contendere  
24 or is found guilty of the crime of misdemeanor possession of

1 marijuana or drug paraphernalia shall be ordered by the court to pay  
2 a five-dollar fee, which shall be in addition to and not in  
3 substitution for any and all fines and penalties otherwise provided  
4 for by law for such offense.

5 2. The court clerk shall cause to be deposited the amount of  
6 Five Dollars (\$5.00) as collected, for every adjudicated or  
7 otherwise convicted person as described in this subsection. The  
8 court clerk shall remit the monies in the fund on a monthly basis  
9 directly to the Bureau of Narcotics Drug Education Revolving Fund.

10 G. There is hereby created in the State Treasury a fund for the  
11 Council on Law Enforcement Education and Training to be designated  
12 the "CLEET Fund". The fund shall be subject to legislative  
13 appropriation and shall consist of any monies received from fees and  
14 receipts collected pursuant to the Oklahoma Open Records Act,  
15 reimbursements for parts used in the repair of weapons of law  
16 enforcement officers attending the basic academies, gifts, bequests,  
17 contributions, tuition, fees, devises, and the assessments levied  
18 pursuant to the fund pursuant to law.

19 H. 1. Any person convicted of a felony offense shall pay a DNA  
20 fee of One Hundred Fifty Dollars (\$150.00). This fee shall not be  
21 collected if the person has a valid DNA sample in the OSBI DNA  
22 Offender Database at the time of sentencing.

23 2. The court clerk shall cause to be deposited the amount of  
24 One Hundred Fifty Dollars (\$150.00) as collected, for every felony

1 conviction as described in this subsection. The court clerk shall  
2 remit the monies in said fund on a monthly basis directly to the  
3 Oklahoma State Bureau of Investigation who shall deposit the monies  
4 into the OSBI Revolving Fund provided for in Section 150.19a of  
5 Title 74 of the Oklahoma Statutes for services rendered or  
6 administered by the Oklahoma State Bureau of Investigation.

7 3. The monies from the DNA sample fee deposited into the OSBI  
8 Revolving Fund shall be used for creating, staffing, and maintaining  
9 the OSBI DNA Laboratory and OSBI Combined DNA Index System (CODIS)  
10 Database.

11 I. It shall be the responsibility of the court clerk to account  
12 for and ensure the correctness and accuracy of payments made to the  
13 state agencies identified in Sections 1313.2 through 1313.4 of this  
14 title. Payments made directly to an agency by the court clerk as a  
15 result of different types of assessments and fees pursuant to  
16 Sections 1313.2 through 1313.4 of this title shall be made monthly  
17 to each state agency.

18 SECTION 2. AMENDATORY 63 O.S. 2001, Section 2-106, as  
19 amended by Section 10, Chapter 170, O.S.L. 2008 (63 O.S. Supp. 2008,  
20 Section 2-106), is amended to read as follows:

21 Section 2-106. A. The Director of the Oklahoma State Bureau of  
22 Narcotics and Dangerous Drugs Control shall, in addition to other  
23 powers and duties vested in the Director:

24

1           1. Cooperate with federal and other state agencies in  
2 discharging his responsibilities concerning traffic in narcotics and  
3 dangerous substances and in suppressing the abuse of dangerous  
4 substances;

5           2. Arrange for the exchange of information between governmental  
6 officials concerning the use and abuse of dangerous substances;

7           3. Coordinate and cooperate in training programs on dangerous  
8 substances law enforcement at the local and state levels;

9           4. Cooperate with the Oklahoma State Bureau of Narcotics and  
10 Dangerous Drugs Control by establishing a centralized unit which  
11 will accept, catalog, file and collect statistics, including records  
12 of drug-dependent persons and other dangerous substance law  
13 offenders within the state, and make such information available for  
14 federal, state and local law enforcement purposes; and may collect  
15 and furnish statistics for other appropriate purposes; and

16           5. Coordinate and cooperate in programs of eradication aimed at  
17 destroying wild or illicit growth of plant species from which  
18 controlled dangerous substances may be extracted.

19           B. Results, information and evidence received from the Oklahoma  
20 State Bureau of Narcotics and Dangerous Drugs Control relating to  
21 the regulatory functions of this act, including results of  
22 inspections conducted by that agency, may be relied upon and acted  
23 upon by the Director in conformance with his regulatory functions  
24 under this act.

1 C. The Director is further authorized and directed to:

2 1. Coordinate and cooperate in educational programs designed to  
3 prevent and deter misuse and abuse of controlled dangerous  
4 substances;

5 2. Promote better recognition of the problems of misuse and  
6 abuse of controlled dangerous substances within the regulated  
7 industry and among interested groups and organizations;

8 3. Assist the regulated industry, interested groups and  
9 organizations in contributing to the reduction of misuse and abuse  
10 of controlled dangerous substances;

11 4. Consult with interested groups and organizations to aid them  
12 in solving administrative and organizational problems;

13 5. Assist in evaluating procedures, projects, techniques and  
14 controls conducted or proposed as part of educational programs on  
15 misuse and abuse of controlled dangerous substances;

16 6. Disseminate the results of research on misuse and abuse of  
17 controlled dangerous substances to promote a better public  
18 understanding of what problems exist and what can be done to combat  
19 them;

20 7. Assist in the education and training of state and local law  
21 enforcement officials in their efforts to control misuse and abuse  
22 of controlled dangerous substances;

23 8. Conduct an annual seminar to be attended by selected law  
24 enforcement officers in order to teach new techniques and advances

1 in the investigation of violations of the Uniform Controlled  
2 Dangerous Substances Act; and

3 9. Supervise and direct agents appointed in the performance of  
4 their function of enforcement of the provisions of this act.

5 D. The Director is further authorized and directed to:

6 1. Encourage research on misuse and abuse of controlled  
7 dangerous substances;

8 2. Cooperate in establishing methods to assess accurately the  
9 effects of controlled dangerous substances and to identify and  
10 characterize controlled dangerous substances with potential for  
11 abuse;

12 3. Cooperate in making studies and in undertaking programs of  
13 research to:

14 a. develop new or improved approaches, techniques,  
15 systems, equipment and devices to strengthen the  
16 enforcement of this act,

17 b. determine patterns of misuse and abuse of controlled  
18 dangerous substances and the social effects thereof,  
19 and

20 c. improve methods for preventing, predicting,  
21 understanding and dealing with the misuse and abuse of  
22 controlled dangerous substances.

23 E. The Director may enter into contracts with public agencies,  
24 institutions of higher education and private organizations or

1 individuals for the purpose of conducting research, demonstrations  
2 or special projects which bear directly on misuse and abuse of  
3 controlled dangerous substances.

4 F. The Director may enter into contracts for educational and  
5 research activities without performance bonds.

6 G. The Director may authorize persons engaged in research or  
7 scientific activities on the use and effects of dangerous substances  
8 to withhold the names and other identifying characteristics of  
9 persons who are the subjects of such research. Persons who obtain  
10 this authorization may not be compelled in any state civil,  
11 criminal, administrative, legislative or other proceeding to  
12 identify the subjects of research for which such authorization was  
13 obtained.

14 H. The Director may authorize the lawful possession,  
15 distribution and use of controlled dangerous substances by persons  
16 engaged in research or scientific activities; authorization for  
17 possession of controlled dangerous substances may be extended to  
18 persons engaged in a program of drug education or persons in the  
19 performance of an official duty. Persons who obtain this  
20 authorization shall be exempt from state prosecution for possession,  
21 distribution or use of dangerous substances to the extent authorized  
22 by the Director.

23 I. The Director is authorized to accept gifts, bequests,  
24 devises, contributions and grants, public or private, including

1 federal funds or funds from any other source for use in furthering  
2 the purpose of the office of the Director.

3 J. The Director is authorized to purchase or sell real  
4 property, together with appurtenances, in the name of the Oklahoma  
5 State Bureau of Narcotics and Dangerous Drugs Control upon approval  
6 of the Oklahoma State Bureau of Narcotics and Dangerous Drugs  
7 Control Commission.

8 K. The Director is authorized to purchase and maintain motor  
9 vehicles and other equipment for use by the employees of the Bureau.

10 L. The Director shall be in charge of all monies appropriated  
11 for or deposited to the credit of the office of the Director and is  
12 authorized to approve claims and payrolls as provided in Section  
13 41.26 of Title 62 of the Oklahoma Statutes.

14 ~~H.~~ M. The Director shall have the authority of a peace officer  
15 and is authorized to commission assistants of his office as peace  
16 officers.

17 SECTION 3. AMENDATORY Section 1, Chapter 437, O.S.L.  
18 2008 (63 O.S. Supp. 2008, Section 2-107a), is amended to read as  
19 follows:

20 Section 2-107a. There is hereby created in the State Treasury a  
21 revolving fund for the Oklahoma State Bureau of Narcotics and  
22 Dangerous Drugs Control to be designated the "Bureau of Narcotics  
23 Drug Education Revolving Fund". The fund shall be a continuing  
24 fund, not subject to fiscal year limitations, and shall consist of

1 any monies received pursuant to subsection ~~D~~ F of Section 1313.2 of  
2 Title 20 of the Oklahoma Statutes. All monies accruing to the  
3 credit of the fund are hereby appropriated and may be budgeted and  
4 expended by the Oklahoma State Bureau of Narcotics and Dangerous  
5 Drugs Control for purposes relating to drug education and  
6 information in the State of Oklahoma.

7 SECTION 4. AMENDATORY 63 O.S. 2001, Section 2-310, is  
8 amended to read as follows:

9 Section 2-310. No person shall distribute samples of controlled  
10 dangerous substances to a practitioner without simultaneously  
11 preparing and leaving with that practitioner a specific, written  
12 list of the items so distributed, the form and control of which  
13 shall be prescribed by rules promulgated by the ~~Commissioner~~  
14 Director.

15 SECTION 5. AMENDATORY 63 O.S. 2001, Section 2-410, as  
16 amended by Section 1, Chapter 308, O.S.L. 2008 (63 O.S. Supp. 2008,  
17 Section 2-410), is amended to read as follows:

18 Section 2-410. A. Whenever any person who has not previously  
19 been convicted of any offense under this act or under any statute of  
20 the United States or of any state relating to narcotic drugs,  
21 marihuana, or stimulant, depressant, or hallucinogenic drugs, pleads  
22 guilty or nolo contendere to or is found guilty of a violation of  
23 the Uniform Controlled Dangerous Substances Act, the court may,  
24 unless otherwise prohibited by law, without entering a judgment of

1 | guilt and with the consent of such person, defer further proceedings  
2 | and place the person on probation upon such reasonable terms and  
3 | conditions as it may require including the requirement that such  
4 | person cooperate in a treatment and rehabilitation program of a  
5 | state-supported or state-approved facility, if available. Upon  
6 | violation of a term or condition, the court may enter an  
7 | adjudication of guilt and proceed as otherwise provided. Upon  
8 | fulfillment of the terms and conditions, the court shall discharge  
9 | such person and dismiss the proceedings against the person.  
10 | Discharge and dismissal under this section shall be without court  
11 | adjudication of guilt and shall not be deemed a conviction for  
12 | purposes of this section or for purposes of disqualifications or  
13 | disabilities imposed by law upon conviction of a crime. Discharge  
14 | and dismissal under this section may occur only once with respect to  
15 | any person.

16 |       B. Any expunged arrest or conviction shall not thereafter be  
17 | regarded as an arrest or conviction for purposes of employment,  
18 | civil rights, or any statute, regulation, license, questionnaire or  
19 | any other public or private purpose; provided, that, any plea of  
20 | guilty or nolo contendere or finding of guilt to a violation of the  
21 | Uniform Controlled Dangerous Substances Act shall constitute a  
22 | conviction of the offense for the purpose of the Uniform Controlled  
23 | Dangerous Substances Act or any other criminal statute under which  
24 | the existence of a prior conviction is relevant.

1 C. The provisions of this section shall not apply to any person  
2 who pleads guilty or nolo contendere to or is found guilty of a  
3 violation of the Trafficking in Illegal Drugs Act or the Drug Money  
4 Laundering and Wire Transmitter Act.

5 SECTION 6. AMENDATORY 63 O.S. 2001, Section 2-411, is  
6 amended to read as follows:

7 Section 2-411. Any person who violates any provision of this  
8 act not subject to a specific penalty provision is guilty of a  
9 misdemeanor punishable by ~~confinement~~ imprisonment in the county  
10 jail for not more than one (1) year, or by a fine of not more than  
11 ~~Five Hundred~~ One Thousand Dollars ~~(\$500.00)~~ (\$1,000.00), or by both  
12 such fine and imprisonment.

13 SECTION 7. AMENDATORY 63 O.S. 2001, Section 2-508, as  
14 last amended by Section 16, Chapter 168, O.S.L. 2004 (63 O.S. Supp.  
15 2008, Section 2-508), is amended to read as follows:

16 Section 2-508. A. Except as otherwise provided, all property  
17 described in paragraphs 1 and 2 of subsection A of Section 2-503 of  
18 this title which is seized or surrendered pursuant to the provisions  
19 of the Uniform Controlled Dangerous Substances Act shall be  
20 destroyed. The destruction shall be done by or at the direction of  
21 the Oklahoma State Bureau of Investigation, who shall have the  
22 discretion prior to destruction to preserve samples of the substance  
23 for testing. In any county with a population of four hundred  
24 thousand (400,000) or more according to the latest Federal Decennial

1 Census, there shall be a located site, approved by the Oklahoma  
2 State Bureau of Investigation, for the destruction of the property.  
3 Any such property submitted to the Oklahoma State Bureau of  
4 Investigation which it deems to be of use for investigative  
5 training, educational, or analytical purposes may be retained by the  
6 Oklahoma State Bureau of Investigation in lieu of destruction.

7 B. 1. With respect to controlled dangerous substances seized  
8 or surrendered pursuant to the provisions of the Uniform Controlled  
9 Dangerous Substances Act, municipal police departments, sheriffs,  
10 the Oklahoma Bureau of Narcotics and Dangerous Drugs Control  
11 Commission, the Oklahoma Highway Patrol, and the Oklahoma State  
12 Bureau of Investigation shall have the authority to destroy seized  
13 controlled dangerous substances when the amount seized in a single  
14 incident exceeds ten (10) pounds. The destroying agency shall:

- 15 a. photograph the seized substance with identifying case  
16 numbers or other means of identification,  
17 b. prepare a report describing the seized substance prior  
18 to the destruction,  
19 c. retain at least one (1) pound of the substance  
20 randomly selected from the seized substance for the  
21 purpose of evidence, and  
22 d. obtain and retain samples of the substance from enough  
23 containers, bales, bricks, or other units of substance  
24 seized to establish the presence of a weight of the

1 substance necessary to establish a violation of the  
2 Trafficking in Illegal Drugs Act pursuant to  
3 subsection C of Section 2-415 of this title, if such a  
4 weight is present. If such weight is not present,  
5 samples of the substance from each container, bale,  
6 brick or other unit of substance seized shall be  
7 taken. Each sample taken pursuant to this section  
8 shall be large enough for the destroying agency and  
9 the defendant or suspect to have an independent test  
10 performed on the substance for purposes of  
11 identification.

12 2. If a defendant or suspect is known to the destroying agency,  
13 the destroying agency shall give at least seven (7) days' written  
14 notice to the defendant, suspect or counsel for the defendant or  
15 suspect of:

- 16 a. the date, the time, and the place where the  
17 photographing will take place and notice of the right  
18 to attend the photographing, and  
19 b. the right to obtain samples of the controlled  
20 dangerous substance for independent testing and use as  
21 evidence.

22 3. The written notice shall also inform the defendant, suspect  
23 or counsel for the defendant or suspect that the destroying agency  
24 must be notified in writing within seven (7) days from receipt of

1 the notice of the intent of the suspect or defendant to obtain  
2 random samples and make arrangements for the taking of samples. The  
3 samples for the defendant or suspect must be taken by a person  
4 licensed by the Drug Enforcement Administration. If the defendant  
5 or counsel for the defendant fails to notify the destroying agency  
6 in writing of an intent to obtain samples and fails to make  
7 arrangements for the taking of samples, a sample taken pursuant to  
8 subparagraph d of paragraph 1 of this subsection shall be made  
9 available upon request of the defendant or suspect.

10 The representative samples, the photographs, the reports, and  
11 the records made under this section and properly identified shall be  
12 admissible in any court or administrative proceeding for any  
13 purposes for which the seized substance itself would have been  
14 admissible.

15 C. All other property not otherwise provided for in the Uniform  
16 Controlled Dangerous Substances Act which has come into the  
17 possession of the Oklahoma State Bureau of Narcotics and Dangerous  
18 Drugs Control or a district attorney may be disposed of by order of  
19 the district court when no longer needed in connection with any  
20 litigation. If the owner of the property is unknown to the Bureau  
21 or district attorney, the Bureau shall hold the property for at  
22 least six (6) months prior to filing a petition for disposal with  
23 the district court except for laboratory equipment which may be  
24 forfeited when no longer needed in connection with litigation,

1 unless the property is perishable. The Director or district  
2 attorney shall file a petition in the district court of Oklahoma  
3 County or in the case of a district attorney, the petition shall be  
4 filed in a county within the district attorney's jurisdiction  
5 requesting the authority to:

6 1. Conduct a sale of the property;

7 2. Convert title of the property to the Oklahoma State Bureau  
8 of Narcotics and Dangerous Drugs Control or to the district  
9 attorney's office for donation or transfer in accordance with  
10 subsection I ~~or K~~ of this section or pursuant to the provisions of  
11 Section 2-107 of this title; or

12 3. Convert title of the property to the Oklahoma State Bureau  
13 of Narcotics and Dangerous Drugs Control for the purpose of leasing  
14 the property in accordance with subsection J of this section.

15 The Director or district attorney shall attach to the petition a  
16 list describing the property, including all identifying numbers and  
17 marks, if any, the date the property came into the possession of the  
18 Bureau or district attorney, and the name and address of the owner,  
19 if known. The notice of the hearing of the petition for the sale of  
20 the property, except laboratory equipment used in the processing,  
21 manufacturing or compounding of controlled dangerous substances in  
22 violation of the provisions of the Uniform Controlled Dangerous  
23 Substances Act, shall be given to every known owner, as set forth in  
24 the petition, by certified mail to the last-known address of the

1 owner at least ten (10) days prior to the date of the hearing.  
2 Notice of a hearing on a petition for forfeiture or sale of  
3 laboratory equipment used in the processing, manufacturing or  
4 compounding of controlled dangerous substances in violation of the  
5 Uniform Controlled Dangerous Substances Act shall not be required.  
6 The notice shall contain a brief description of the property, and  
7 the location and date of the hearing. In addition, notice of the  
8 hearing shall be posted in three public places in the county, one  
9 such place being the county courthouse at the regular place assigned  
10 for the posting of legal notices. At the hearing, if no owner  
11 appears and establishes ownership of the property, the court may  
12 enter an order authorizing the Director or district attorney to  
13 donate the property pursuant to subsection I of this section, to  
14 sell the property at a public auction to the highest bidder, or to  
15 convert title of the property to the Oklahoma State Bureau of  
16 Narcotics and Dangerous Drugs Control for the purpose of leasing or  
17 transferring the property pursuant to subsection J or K of this  
18 section after at least ten (10) days' notice has been given by  
19 publication in one issue of a legal newspaper of the county. If the  
20 property is offered for sale at public auction and no bid is  
21 received that exceeds fifty percent (50%) of the value of the  
22 property, such value to be announced prior to the sale, the Director  
23 or district attorney may refuse to sell the item pursuant to any bid  
24 received. The Director or district attorney shall make a return of

1 the sale and, when confirmed by the court, the order confirming the  
2 sale shall vest in the purchaser title to the property so purchased.  
3 The money received from the sale shall be used for the purpose of  
4 purchasing controlled dangerous substances to be used as evidence in  
5 narcotic cases and fees for informers, or employees and other  
6 associated expenses necessary to apprehend and convict violators of  
7 the laws of the State of Oklahoma regulating controlled dangerous  
8 substances. These funds shall be transferred to the ~~agency special~~  
9 ~~account~~ Bureau of Narcotics Revolving Fund established pursuant to  
10 Section 7.2 2-107 of ~~Title 62 of the Oklahoma Statutes or the Bureau~~  
11 ~~of Narcotics Revolving Fund~~ this title or in the case of a district  
12 attorney, the revolving fund in that district for drug education and  
13 enforcement. The Director of the Bureau of Narcotics and Dangerous  
14 Drugs Control and the Director of State Finance are hereby  
15 authorized and directed to promulgate in writing the necessary rules  
16 and regulations requiring strict accountability relative to the  
17 expenditure of the above funds. In the case of a district attorney,  
18 the accountability relative to the expenditure of the fund shall be  
19 according to rules already existing for county revolving funds.

20 D. At the request of the Department of Public Safety, the  
21 district attorney or a designee of the district attorney may conduct  
22 any forfeiture proceedings as described in Section 2-503 of this  
23 title on any property subject to forfeiture as described in  
24 subsection A, B, or C of Section 2-503 of this title. Except as

1 provided in subsection A of this section, all other property not  
2 otherwise provided for in the Uniform Controlled Dangerous  
3 Substances Act which has come into the possession of the Oklahoma  
4 Department of Public Safety may be disposed of by order of the  
5 district court when no longer needed in connection with any  
6 litigation. If the owner of the property is unknown to the  
7 Department, the Department shall hold the property for at least six  
8 (6) months prior to filing a petition for disposal with the district  
9 court, unless the property is perishable. The Commissioner of  
10 Public Safety shall file a petition in the district court of  
11 Oklahoma County requesting the authority to conduct a sale of the  
12 property or to convert title of the property to the Oklahoma  
13 Department of Public Safety. The Commissioner of Public Safety  
14 shall attach to the petition a list describing the property,  
15 including all identifying numbers and marks, if any, the date the  
16 property came into the possession of the Department, and the name  
17 and address of the owner, if known. The notice of the hearing of  
18 the petition for the sale of the property shall be given to every  
19 known owner, as set forth in the petition, by certified mail to the  
20 last-known address of the owner and party in last possession if  
21 applicable, at least ten (10) days prior to the date of the hearing.  
22 The notice shall contain a brief description of the property, and  
23 the location and date of the hearing. In addition, notice of the  
24 hearing shall be posted in three public places in the county, one

1 such place being the county courthouse at the regular place assigned  
2 for the posting of legal notices. At the hearing, if no owner  
3 appears and establishes ownership of the property, the court may  
4 enter an order authorizing the Commissioner of Public Safety to  
5 donate the property pursuant to subsection I of this section, to  
6 sell the property to the highest bidder, or convert title of the  
7 property to the Oklahoma Department of Public Safety for the purpose  
8 of leasing or transferring the property pursuant to subsection J or  
9 K of this section after at least five (5) days' notice has been  
10 given by publication in one issue of a legal newspaper of the  
11 county. The Commissioner of Public Safety shall make a return of  
12 the sale and, when confirmed by the court, the order confirming the  
13 sale shall vest in the purchaser title to the property so purchased.  
14 The money received from the sale shall be deposited in the  
15 Department of Public Safety Revolving Fund and shall be expended for  
16 law enforcement purposes.

17 E. Except as provided in subsection A of this section, all  
18 other property not otherwise provided for in the Uniform Controlled  
19 Dangerous Substances Act which has come into the possession of the  
20 Alcoholic Beverage Laws Enforcement Commission may be disposed of by  
21 order of the district court when no longer needed in connection with  
22 any litigation. If the owner of the property is unknown to the  
23 Alcoholic Beverage Laws Enforcement Commission, the Commission shall  
24 hold the property for at least six (6) months prior to filing a

1 petition for disposal with the district court, unless the property  
2 is perishable. The Director of the Alcoholic Beverage Laws  
3 Enforcement Commission shall file a petition in the district court  
4 of Oklahoma County requesting the authority to conduct a sale of the  
5 property or to convert title of the property to the Alcoholic  
6 Beverage Laws Enforcement Commission. The Director of the Alcoholic  
7 Beverage Laws Enforcement Commission shall attach to the petition a  
8 list describing the property, including all identifying numbers and  
9 marks, if any, the date the property came into the possession of the  
10 Alcoholic Beverage Laws Enforcement Commission, and the name and  
11 address of the owner, if known. The notice of the hearing of the  
12 petition for the sale of the property shall be given to every known  
13 owner, as set forth in the petition, by certified mail to the  
14 last-known address of the owner at least ten (10) days prior to the  
15 date of the hearing. The notice shall contain a brief description  
16 of the property, and the location and date of the hearing. In  
17 addition, notice of the hearing shall be posted in three public  
18 places in the county, one such place being the county courthouse at  
19 the regular place assigned for the posting of legal notices. At the  
20 hearing, if no owner appears and establishes ownership of the  
21 property, the court may enter an order authorizing the Director of  
22 the Alcoholic Beverage Laws Enforcement Commission to donate the  
23 property pursuant to subsection I of this section or to sell the  
24 property to the highest bidder after at least five (5) days' notice

1 has been given by publication in one issue of a legal newspaper of  
2 the county. The Director of the Alcoholic Beverage Laws Enforcement  
3 Commission shall make a return of the sale and, when confirmed by  
4 the court, the order confirming the sale shall vest in the purchaser  
5 title to the property so purchased. The money received from the  
6 sale shall be deposited in the General Revenue Fund of the state.

7 F. Except as provided in subsection A of this section, all  
8 other property not otherwise provided for in the Uniform Controlled  
9 Dangerous Substances Act which has come into the possession of the  
10 Oklahoma State Bureau of Investigation may be disposed of by order  
11 of the district court when no longer needed in connection with any  
12 litigation. If the owner of the property is unknown to the Bureau,  
13 the Bureau shall hold the property for at least six (6) months prior  
14 to filing a petition for disposal with the district court, unless  
15 the property is perishable. The Director of the Oklahoma State  
16 Bureau of Investigation shall file a petition in the district court  
17 of Oklahoma County requesting the authority to conduct a sale of the  
18 property or to convert title of the property to the Oklahoma State  
19 Bureau of Investigation. The Director of the Oklahoma State Bureau  
20 of Investigation shall attach to the petition a list describing the  
21 property, including all identifying numbers and marks, if any, the  
22 date the property came into the possession of the Bureau, and the  
23 name and address of the owner, if known. The notice of the hearing  
24 of the petition for the sale of the property shall be given to every

1 known owner, as set forth in the petition, by certified mail to the  
2 last-known address of the owner and party in last possession if  
3 applicable, at least ten (10) days prior to the date of the hearing.  
4 The notice shall contain a brief description of the property, and  
5 the location and date of the hearing. In addition, notice of the  
6 hearing shall be posted in three public places in the county, one  
7 such place being the county courthouse at the regular place assigned  
8 for the posting of legal notices. At the hearing, if no owner  
9 appears and establishes ownership of the property, the court may  
10 enter an order authorizing the Director of the Oklahoma State Bureau  
11 of Investigation to donate the property pursuant to subsection I of  
12 this section, to sell the property to the highest bidder, or convert  
13 title of the property to the Oklahoma State Bureau of Investigation  
14 for the purpose of leasing or transferring the property pursuant to  
15 subsection J or K of this section after at least five (5) days'  
16 notice has been given by publication in one issue of a legal  
17 newspaper of the county. The Director of the Oklahoma State Bureau  
18 of Investigation shall make a return of the sale and, when confirmed  
19 by the court, the order confirming the sale shall vest in the  
20 purchaser title to the property so purchased. The money received  
21 from the sale shall be deposited in the OSBI Revolving Fund and  
22 shall be expended for law enforcement purposes.

23 G. Except as provided in subsection A of this section, all  
24 other property not otherwise provided for in the Uniform Controlled

1 Dangerous Substances Act which has come into the possession of the  
2 Oklahoma Department of Corrections after being seized from persons  
3 not in the custody or supervision of the Department of Corrections  
4 may be disposed of by order of the district court when no longer  
5 needed in connection with any litigation. If the owner of the  
6 property is unknown to the Department, the Department shall hold the  
7 property for at least six (6) months prior to filing a petition for  
8 disposal with the district court, unless the property is perishable.  
9 The Director of the Oklahoma Department of Corrections shall file a  
10 petition in the district court of the county of seizure requesting  
11 the authority to conduct a sale of the property or to convert title  
12 to the property to the Oklahoma Department of Corrections. The  
13 Director of the Oklahoma Department of Corrections shall attach to  
14 the petition a list describing the property, including all  
15 identifying numbers and marks, if any, the date the property came  
16 into possession of the Department and the name and address of the  
17 owner, if known. The notice of the hearing of the petition for the  
18 sale of the property shall be given to every known owner, as set  
19 forth in the petition, by certified mail to the last-known address  
20 of the owner and party in last possession if applicable, at least  
21 ten (10) days prior to the date of the hearing. The notice shall  
22 contain a brief description of the property and the location and  
23 date of the hearing. In addition, notice of the hearing shall be  
24 posted in three public places in the county, one such place being

1 the county courthouse at the regular place assigned for the posting  
2 of legal notices. At the hearing, if no owner appears and  
3 establishes ownership of the property, the court may enter an order  
4 authorizing the Director of the Oklahoma Department of Corrections  
5 to donate the property pursuant to subsection I of this section, to  
6 sell the property to the highest bidder or convert title of the  
7 property to the Oklahoma Department of Corrections after at least  
8 five (5) days' notice has been given by publication in one issue of  
9 a legal newspaper of the county. The Director of the Oklahoma  
10 Department of Corrections shall make a return of the sale and when  
11 confirmed by the court, the order confirming the sale shall vest in  
12 the purchaser title to the property so purchased. Twenty-five  
13 percent (25%) of the money received from the sale shall be disbursed  
14 to a revolving fund in the office of the county treasurer of the  
15 county wherein the property was seized, said fund to be used as a  
16 revolving fund solely for enforcement of controlled dangerous  
17 substances laws, drug abuse prevention and drug abuse education.  
18 The remaining seventy-five percent (75%) shall be deposited in the  
19 Department of Corrections Revolving Fund to be expended for  
20 equipment for probation and parole officers and correctional  
21 officers.

22 H. Except as provided in subsection A of this section, all  
23 other property not otherwise provided for in the Uniform Controlled  
24 Dangerous Substances Act which has come into the possession of the

1 Office of the Attorney General may be disposed of by order of the  
2 district court when no longer needed in connection with any  
3 litigation. If the owner of the property is unknown to the Office,  
4 the Office shall hold the property for at least six (6) months prior  
5 to filing a petition for disposal with the district court, unless  
6 the property is perishable. The Office of the Attorney General  
7 shall file a petition in the district court of Oklahoma County  
8 requesting the authority to conduct a sale of the property or to  
9 convert title of the property to the Office of the Attorney General.  
10 The Office of the Attorney General shall attach to the petition a  
11 list describing the property, including all identifying numbers and  
12 marks, if any, the date the property came into the possession of the  
13 Office, and the name and address of the owner, if known. The notice  
14 of the hearing of the petition for the sale of the property shall be  
15 given to every known owner, as set forth in the petition, by  
16 certified mail to the last-known address of the owner and party in  
17 last possession, if applicable, at least ten (10) days prior to the  
18 date of the hearing. The notice shall contain a brief description  
19 of the property and the location and date of the hearing. In  
20 addition, notice of the hearing shall be posted in three public  
21 places in the county, one such place being the county courthouse at  
22 the regular place assigned for the posting of legal notices. At the  
23 hearing, if no owner appears and establishes ownership of the  
24 property, the court may enter an order authorizing the Attorney

1 General to donate the property pursuant to subsection I of this  
2 section, to sell the property to the highest bidder, or convert  
3 title of the property to the Office of the Attorney General for the  
4 purpose of leasing or transferring the property pursuant to  
5 subsection J or K of this section after at least five (5) days'  
6 notice has been given by publication in one issue of a legal  
7 newspaper of the county. The Attorney General shall make a return  
8 of the sale and, when confirmed by the court, the order confirming  
9 the sale shall vest in the purchaser title to the property so  
10 purchased. The money received from the sale shall be deposited in  
11 the Attorney General Law Enforcement Revolving Fund and shall be  
12 expended for law enforcement purposes. The Office of the Attorney  
13 General may enter into agreements with municipal, county or state  
14 agencies to return to such an agency a percentage of proceeds of the  
15 sale of any property seized by the agency and forfeited under the  
16 provisions of this section.

17 I. Any property, including but not limited to uncontaminated  
18 laboratory equipment used in the processing, manufacturing or  
19 compounding of controlled dangerous substances in violation of the  
20 provisions of the Uniform Controlled Dangerous Substances Act, upon  
21 a court order, may be donated for classroom or laboratory use by the  
22 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control,  
23 Oklahoma Department of Public Safety, district attorney, the  
24 Alcoholic Beverage Laws Enforcement Commission, the Oklahoma

1 Department of Corrections, or the Office of the Attorney General to  
2 any public secondary school or technology center school in this  
3 state or any institution of higher education within The Oklahoma  
4 State System of Higher Education.

5 J. Any vehicle or firearm which has come into the possession  
6 and title vested in the Oklahoma State Bureau of Narcotics and  
7 Dangerous Drugs Control, the Oklahoma Department of Public Safety,  
8 the Oklahoma State Bureau of Investigation, or the Office of the  
9 Attorney General, may be offered for lease to any sheriff's office  
10 or police department in this state on an annual basis to assist with  
11 the enforcement of the provisions of the Uniform Controlled  
12 Dangerous Substances Act. Each agency shall promulgate rules,  
13 regulations and procedures for leasing vehicles and firearms. No  
14 fully automatic weapons will be subject to the leasing agreement.  
15 All firearms leased may be utilized only by C.L.E.E.T. certified  
16 officers who have received training in the type and class of weapon  
17 leased. Every lessee shall be required to submit an annual report  
18 to the leasing agency stating the condition of all leased property.  
19 A lease agreement may be renewed annually at the option of the  
20 leasing agency. Upon termination of a lease agreement, the property  
21 shall be returned to the leasing agency for sale or other  
22 disposition. All funds derived from lease agreements or other  
23 disposition of property no longer useful to law enforcement shall be

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1 deposited in the agency's revolving fund and shall be expended for  
2 law enforcement purposes.

3 K. Before disposing of any property pursuant to subsections C  
4 through F of this section, ~~the Oklahoma State Bureau of Narcotics~~  
5 ~~and Dangerous Drugs Control~~, the Department of Public Safety, the  
6 Alcoholic Beverage Laws Enforcement Commission, the Oklahoma State  
7 Bureau of Investigation, the Office of the Attorney General, or a  
8 district attorney shall notify the Department of Corrections and the  
9 Oklahoma Department of Career and Technology Education of the  
10 identity of any such property in their possession. The Department  
11 of Corrections and the Oklahoma Department of Career and Technology  
12 Education must respond within ten (10) days of such notification, as  
13 to whether or not such property could be used in the operations or  
14 training programs of either agency. Upon receipt of the response,  
15 the agency or district attorney that issued the notification shall  
16 negotiate as to which agency will be entitled to the use of the  
17 property, the purpose of the use and the duration of such use. Upon  
18 return of the property, the property may be disposed of as otherwise  
19 provided in this section. The agencies and any district attorney  
20 that are parties to any transfer of property pursuant to this  
21 subsection shall enter into written agreements to carry out any such  
22 transfer of property. Any such agreement may also provide for the  
23 granting of title to any property being transferred as the parties  
24 deem appropriate.

1 SECTION 8. AMENDATORY 70 O.S. 2001, Section 1210.224, is  
2 amended to read as follows:

3 Section 1210.224 The Department of Education may administer the  
4 comprehensive Drug Abuse Education Act of 1972, pursuant to  
5 regulations which the State Board of Education is hereby empowered  
6 to promulgate. In administering this section, the Department shall  
7 take into consideration the advice of the ~~Commissioner~~ Director of  
8 the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control  
9 and the ~~Advisory Board to the Commissioner of~~ Oklahoma State Bureau  
10 of Narcotics and Dangerous Drugs Control Commission.

11 SECTION 9. AMENDATORY 74 O.S. 2001, Section 78, as last  
12 amended by Section 1, Chapter 169, O.S.L. 2007 (74 O.S. Supp. 2008,  
13 Section 78), is amended to read as follows:

14 Section 78. A. There is hereby created and established within  
15 the Department of Central Services, the Fleet Management Division.  
16 The Division shall provide oversight of and advice to state agencies  
17 that own, operate and utilize motor vehicles, except for the  
18 Department of Public Safety, the Department of Transportation, the  
19 Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the  
20 Oklahoma State Bureau of Investigation, and The Oklahoma State  
21 System of Higher Education.

22 B. The Director of Central Services shall:

23 1. Appoint and fix duties and compensation for a Fleet Manager  
24 who shall serve as the administrative head of the division;

- 1        2. Hire personnel as necessary to provide fleet management  
2 services to state agencies;
- 3        3. Acquire facilities to maintain vehicles;
- 4        4. Promulgate rules for efficient and economical operations to  
5 provide fleet management services to state agencies; and
- 6        5. Report to the Governor, Speaker of the House of  
7 Representatives, and President Pro Tempore of the Senate those  
8 agencies that fail to comply with the provisions of law and the  
9 rules of the Fleet Management Division regarding submission of  
10 reports, vehicle use, and vehicle maintenance.
- 11       C. The rules shall include provisions to:
  - 12        1. Establish uniform written vehicle acquisition, leasing,  
13 maintenance, repairs, and disposal standards for use by all state  
14 agencies to justify actual need for vehicles;
  - 15        2. Establish standards for routine vehicle inspection and  
16 maintenance;
  - 17        3. Provide standards and forms for recordkeeping of fleet  
18 operation, maintenance, and repair costs for mandatory use by all  
19 state agencies to report the data to the Fleet Management Division  
20 on a monthly basis;
  - 21        4. Provide standards and utilize methods for disposal of  
22 vehicles pursuant to the Oklahoma Surplus Property Act and any other  
23 applicable state laws;

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1       5. Establish mandatory maintenance contracts throughout the  
2 state for all agencies to access for vehicle repairs and service at  
3 discounted rates and parts;

4       6. Require all agencies with in-house repair and service  
5 facilities to assign a value to the preventive maintenance services,  
6 track those services with a dollar value, and report costs to the  
7 Fleet Manager for the prior month no later than the twentieth day  
8 following the close of each month;

9       7. Promulgate rules requiring all state-owned motor vehicles to  
10 be marked in a uniform, highly visible manner, except for certain  
11 vehicles driven by law enforcement agencies or other agencies  
12 requiring confidentiality;

13       8. Require agencies to produce and maintain written  
14 justification for any vehicle that travels fewer than twelve  
15 thousand (12,000) miles annually and report to the Fleet Manager  
16 such information by October 1 of each year; and

17       9. Address any other matter or practice which relates to the  
18 responsibilities of the Director of Central Services.

19       D. The Fleet Manager shall:

20       1. Develop specifications for contracts for vehicle maintenance  
21 for state vehicles not serviced or maintained by state agencies;

22       2. Conduct on-site inspections to verify state agency or  
23 supplier compliance with Division standards for inspections,  
24 maintenance and recordkeeping;

1           3. Assess state agency needs for vehicles and types of  
2 vehicles;

3           4. Assign, transfer or lease vehicles to a state agency to meet  
4 the needs of the state agency;

5           5. Unless otherwise provided by law, determine whether a state  
6 agency may use or operate a vehicle without state identifying  
7 markings, bearing a license plate used by a privately owned vehicle  
8 to perform the duties of the state agency without hindrance;

9           6. Report to the Director of Central Services occurrences of  
10 agencies failing to comply with the provisions of law and the rules  
11 of the Fleet Management Division regarding submission of reports,  
12 vehicle use, and vehicle maintenance;

13           7. Offer guidelines to agencies to assist in determining the  
14 most cost-effective and reasonable modes of travel for single trips  
15 from the following options: state vehicle, private rental, or  
16 mileage reimbursement; and

17           8. Provide, upon the request of the Governor, the President Pro  
18 Tempore of the Senate or the Speaker of the House of  
19 Representatives, reports from data the Fleet Manager collects.

20           SECTION 10.           AMENDATORY           74 O.S. 2001, Section 78a, is  
21 amended to read as follows:

22           Section 78a. A. State agencies with authority to own motor  
23 vehicles shall submit a requisition to the Director of Central  
24 Services prior to acquisition of a motor vehicle. The requisition

1 shall state the type of vehicle, the intended purpose of the  
2 vehicle, a statement that the agency has actual need for the  
3 vehicle, the supplier of the vehicle, that the state agency has  
4 sufficient funds to acquire and maintain the vehicle and cite the  
5 statutory authority of the state agency to acquire a vehicle.

6 B. The Director of Central Services shall review the  
7 requisition and approve or deny the request of the state agency  
8 within fifteen (15) days of receipt by the Director of Central  
9 Services. The Director of State Finance shall not approve a  
10 purchase order or claim for a motor vehicle unless the acquisition  
11 of the motor vehicle was approved by the Director of Central  
12 Services.

13 C. The provisions of subsections A and B of this section shall  
14 not apply to the Department of Public Safety or the Oklahoma State  
15 Bureau of Narcotics and Dangerous Drugs Control.

16 SECTION 11. This act shall become effective November 1, 2009.

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