

BILL SUMMARY
1st Session of the 52nd Legislature

Bill No.:	HB 2250
Version:	CCS
Author:	Representative Terrill Senator Sykes
Date:	May 19, 2009
Impact:	Annual Revenue Increase - OBND: Approximately \$4 million Annual Increase in Court Revenue: Approximately \$40,000

Bill Summary

Research Analyst: Brad Wolgamott

The Conference Committee Substitute for HB 2250 addresses several issues relating to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control:

- Adds pleading guilty or no contest to, or being found guilty of possession of drug paraphernalia as a offense which requires paying a five-dollar court fee. This money goes into the Bureau of Narcotics Drug Education Revolving Fund.
- Authorizes the Director of the Oklahoma State Bureau of Narcotics to purchase and maintain motor vehicles and other equipment for use by the Bureau's employees, thus removing DCS oversight.
- Creates the "Drug Money Laundering and Wire Transmitter Revolving Fund".
- Adds tribal police and agencies with CLEET certified officers as agencies OBN can enter into forfeiture sharing agreements with.
- Increases the maximum fine for misdemeanor violations of the Uniform Controlled Dangerous Substances Act from \$500 to \$1000
- Provides specific procedures in conducting seizure warrants under the Drug Money Laundering and Wire Transmitter Act.
- Establishes a fee of \$5.00 for every wire transmission under \$500.00 and 1% of every transmission thereafter.
- Specifies venue for the Drug Money Laundering and Wire Transmitter Act as it applies to transactions for interpretation purposes.
- Allows for fee sharing in forfeiture cases between district attorney's and tribal law enforcement agencies.
- Requires notice individually be sent to each known owner of seized property by first class mail instead of certified mail between \$100.00 and \$500.00 in value. Additionally, changes to allow for donation and transfer of property to other agencies.
- Establishes a tax credit against the fee imposed on wire transmissions.
- Exempts OBN from DCS oversight on vehicles.

Fiscal Summary

Fiscal Analyst: Marilyn Anderson

The CCS for HB 2250 authorizes the Director of the Bureau of Narcotics (OBN) to purchase vehicles and other equipment for use by Bureau employees; creates a revolving fund; increases the maximum fine for persons found guilty of a misdemeanor offense in violation of the Uniform Controlled Dangerous Substances Act from \$500 to \$1,000; removes the cap on the amount of forfeited funds the Bureau may expend within a fiscal year; authorizes the State Banking Commissioner to freeze an account to a financial institution or money services business under its jurisdiction; creates fee for wire transfers; and establishes procedures for conducting seizure warrants.

Fiscal Analysis

The increase in the maximum fine for misdemeanor drug offenses is expected to generate an additional \$40,000 annually for the courts. According to the OBN, the \$5 fee for wire transmissions will generate approximately \$4 million annually.

Long Term Fiscal Considerations

None

Fiscal Analysis Reviewed By:

Janice Buchanan

House Fiscal Director