

1 intoxicating compound of any kind, or inhale glue, paint or other
2 intoxicating substance~~;~~; or ~~if any~~

3 2. Any person who shall be drunk or intoxicated in any public
4 or private road, or in any passenger coach, streetcar, or any public
5 place or building, or at any public gathering, from drinking or
6 consuming such intoxicating liquor, intoxicating substance or
7 intoxicating compound or from inhalation of glue, paint or other
8 intoxicating substance, or ~~if any person who~~ shall be drunk or
9 intoxicated from any cause and shall disturb the peace of any
10 person, ~~he~~

11 shall be guilty of a misdemeanor, and upon conviction thereof shall
12 be punished by a fine of not less than Ten Dollars (\$10.00), nor
13 more than One Hundred Dollars (\$100.00), or by imprisonment for not
14 less than five (5) days nor more than thirty (30) days, or by both
15 such fine and imprisonment.

16 B. As used in this section, "drunk or intoxicated" means any
17 person who:

18 1. Has a blood or breath alcohol concentration, as defined in
19 Section 756 of Title 47 of the Oklahoma Statutes, of eight-
20 hundredths (0.08) or more at the time of a test of the blood or
21 breath of such person administered within two (2) hours after the
22 arrest of such person;

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1 2. Is under the influence of any intoxicating substance other
2 than alcohol; or

3 3. Is under the combined influence of alcohol and any other
4 intoxicating substance.

5 C. No municipality or other political subdivision of this state
6 shall adopt or continue in effect resolutions, ordinances, or
7 regulations prohibiting the offense provided for in paragraph 2 of
8 subsection A of this section without requiring the person to meet
9 the definition of "drunk or intoxicated" as provided in subsection B
10 of this section. Local orders, resolutions, ordinances,
11 regulations, or legislation in violation of this section are void
12 and unenforceable.

13 SECTION 2. This act shall become effective November 1, 2011.

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15 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02-22-2011 - DO
16 PASS, As Coauthored.

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