

1 ENGROSSED SENATE
2 BILL NO. 1002

By: Newberry of the Senate

and

Henke of the House

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7 [crimes against children - providing for fee -
8 providing for collection of fee - providing for
9 deposit of fee - codification - noncodification -
10 emergency]

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

12 SECTION 1. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1313.8 of Title 20, unless there
14 is created a duplication in numbering, reads as follows:

15 A. As used in this section:

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

19 2. "Court" means any state or municipal court having
20 jurisdiction to impose a criminal fine or penalty.

21 B. Any person convicted of an offense, including traffic
22 offenses but excluding parking and standing violations, punishable
23 by a fine of Twenty-five Dollars (\$25.00) or more or by
24 incarceration or any person forfeiting bond when charged with such

1 an offense, shall be ordered by the court to pay Ten Dollars
2 (\$10.00) as a separate fee, which fee shall be in addition to and
3 not in substitution for any and all fines and penalties otherwise
4 provided for by law for such offense. The fee shall be collected at
5 the same time as the fees provided for in Sections 1313.2 and 1313.3
6 of Title 20 of the Oklahoma Statutes.

7 C. The court clerk shall cause the fees provided for in
8 subsection B of this section to be deposited on a monthly basis as
9 follows:

10 1. Two Dollars (\$2.00) to the District Attorneys Council who
11 shall deposit the monies into the Internet Crimes Against Children
12 Prosecution Revolving Fund as created in Section 2 of this act;

13 2. Five Dollars (\$5.00) to the Oklahoma State Bureau of
14 Investigation who shall deposit the monies into the OSBI Revolving
15 Fund provided for in Section 150.19a of Title 74 of the Oklahoma
16 Statutes to fund the Internet Crimes Against Children Unit (ICAC);

17 3. Two Dollars (\$2.00) to the Oklahoma State Bureau of
18 Investigation who shall deposit the monies into the Child Abuse
19 Response Team Revolving Fund as created in Section 4 of this act;
20 and

21 4. One Dollar (\$1.00) to the Oklahoma State Bureau of
22 Investigation who shall deposit the monies into the Internet Crimes
23 Against Children Unit Revolving Fund as created in Section 3 of this
24 act.

1 D. The deposits required by this section shall be included in
2 the report required by Section 1313.2 of Title 20 of the Oklahoma
3 Statutes and shall be listed as a separate item.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 215.41 of Title 19, unless there
6 is created a duplication in numbering, reads as follows:

7 There is hereby created in the State Treasury a revolving fund
8 for the District Attorneys Council, to be designated the "Internet
9 Crimes Against Children Prosecution Revolving Fund". The revolving
10 fund shall be a continuing fund not subject to fiscal year
11 limitations and shall be under the control and management of the
12 Council. Expenditures from this fund shall be made pursuant to the
13 purposes of this act and without legislative appropriation. All
14 monies accruing to the credit of the fund may be budgeted and
15 expended by the Council solely for purposes of the enforcement of
16 internet crimes against children laws.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 150.19b of Title 74, unless
19 there is created a duplication in numbering, reads as follows:

20 There is hereby created in the State Treasury a revolving fund
21 for the Oklahoma State Bureau of Investigation, to be designated the
22 "Internet Crimes Against Children Unit Revolving Fund". The
23 revolving fund shall be a continuing fund not subject to fiscal year
24 limitations and shall be under the control and management of the

1 Bureau. Expenditures from this fund shall be made pursuant to the
2 purposes of this act and without legislative appropriation. All
3 monies accruing to the credit of the fund may be budgeted and
4 expended by the Bureau solely for purposes of programs for the
5 psychological fitness and health of the officers of the Internet
6 Crimes Against Children Unit.

7 SECTION 4. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 150.19c of Title 74, unless
9 there is created a duplication in numbering, reads as follows:

10 There is hereby created in the State Treasury a revolving fund
11 for the Oklahoma State Bureau of Investigation, to be designated the
12 "Child Abuse Response Team Revolving Fund". The revolving fund
13 shall be a continuing fund not subject to fiscal year limitations
14 and shall be under the control and management of the Bureau.
15 Expenditures from this fund shall be made pursuant to the purposes
16 of this act and without legislative appropriation. All monies
17 accruing to the credit of the fund may be budgeted and expended by
18 the Bureau solely to support the services provided by the Child
19 Abuse Response Team.

20 SECTION 5. NEW LAW A new section of law not to be
21 codified in the Oklahoma Statutes reads as follows:

22 It shall be the duty of the District Attorneys Council and the
23 Oklahoma State Bureau of Investigation to provide to the President
24 Pro Tempore of the Senate, the Speaker of the House of

1 Representatives, the Chair of the Appropriations Committee of the
2 Senate, and the Chair of the Appropriations and Budget Committee of
3 the House of Representatives a report regarding the effectiveness of
4 the provisions of this act no later than April 1, 2015.

5 SECTION 6. It being immediately necessary for the preservation
6 of the public peace, health and safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

9 Passed the Senate the 5th day of March, 2013.

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12 Presiding Officer of the Senate

13 Passed the House of Representatives the ____ day of _____,
14 2013.

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17 Presiding Officer of the House
18 of Representatives