

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 1002, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Newberry

Newberry-LKS-FS-Req#1568
2/26/2013 3:52 PM

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 FLOOR SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1002

By: Newberry of the Senate

and

Henke of the House

7
8
9 FLOOR SUBSTITUTE

10 [crimes against children - providing for fee -
11 providing for collection of fee - providing for
12 deposit of fee - codification - noncodification -
13 emergency]

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

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

18 A. As used in this section:

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

22 2. "Court" means any state or municipal court having
23 jurisdiction to impose a criminal fine or penalty.
24

1 B. Any person convicted of an offense, including traffic
2 offenses but excluding parking and standing violations, punishable
3 by a fine of Twenty-five Dollars (\$25.00) or more or by
4 incarceration or any person forfeiting bond when charged with such
5 an offense, shall be ordered by the court to pay Ten Dollars
6 (\$10.00) as a separate fee, which fee shall be in addition to and
7 not in substitution for any and all fines and penalties otherwise
8 provided for by law for such offense. The fee shall be collected at
9 the same time as the fees provided for in Sections 1313.2 and 1313.3
10 of Title 20 of the Oklahoma Statutes.

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

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

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

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

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

5 D. The deposits required by this section shall be included in
6 the report required by Section 1313.2 of this title and shall be
7 listed as a separate item.

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

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

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

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1 There is hereby created in the State Treasury a revolving fund
2 for the Oklahoma State Bureau of Investigation, to be designated the
3 "Internet Crimes Against Children Unit Revolving Fund". The
4 revolving fund shall be a continuing fund not subject to fiscal year
5 limitations and shall be under the control and management of the
6 Bureau. Expenditures from this fund shall be made pursuant to the
7 purposes of this act and without legislative appropriation. All
8 monies accruing to the credit of the fund may be budgeted and
9 expended by the Bureau solely for purposes of programs for the
10 psychological fitness and health of the officers of the Internet
11 Crimes Against Children Unit.

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

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

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

3 It shall be the duty of the District Attorneys Council and the
4 Oklahoma State Bureau of Investigation to provide to the President
5 Pro Tempore of the Senate, the Speaker of the House of
6 Representatives, the chair of the Appropriations committee of the
7 Senate, and the chair of the Appropriations and Budget committee of
8 the House of Representatives a report regarding the effectiveness of
9 the provisions of this act no later than April 1, 2015.

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

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15 54-1-1568 LKS 2/26/2013 3:52:06 PM

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