

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 54<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB1371</b>
<b>Version:</b>	<b>CS</b>
<b>Request Number:</b>	<b>10857</b>
<b>Author:</b>	<b>Representative Biggs Senator Standridge</b>
<b>Date:</b>	<b>4/9/2014</b>
<b>Impact:</b>	<b>Possible Increase in Prison Costs</b>

**Research Analysis**

SB1371 modifies the legal procedure and punishments for crimes that involve proceeds acquired from a specified unlawful activity. *Specified unlawful activity* is defined as an act or omission, including any initiatory, preparatory or completed offense or omission that is punishable as a felony under the laws of Oklahoma or under the laws of the state in which the crime occurred. Proceedings to convicts these crimes will be special proceedings and will require the petitioner to prove by a preponderance of the evidence that property was used to commit a crime involving unlawful proceeds. The measure also establishes a tiered penalty system based on the amount of money involved, which is outlined as follows:

\$2500 and under: guilty of misdemeanor  
\$2500-\$10,000: guilty of felony, up to 2 years of imprisonment  
\$10,000-\$50,000: guilty of felony, between 2-10 years of imprisonment  
\$50,000 and over: guilty of felony, between 5-20 years of imprisonment

There is an additional civil penalty equal to three times the value of property involved in the unlawful transaction, which will be split evenly between the prosecuting agency and the investigating law enforcement agency.

Prepared By: Quyen Do

**Fiscal Analysis**

The PCS for SB1371 increases the maximum penalty for a violation involving unlawful proceeds, or making available anything of value that is to be used to commit a felony. Currently a violation is charges as a felony with punishment from two years to ten years imprisonment. SB1371 changes the punishment depending upon the value of the proceeds or item of value. The punishment ranges from a misdemeanor if the violation involves \$2,500 or less to a felony if the violation involves more than \$2,500. Punishment for a felony ranges from two years to twenty years imprisonment. Since the maximum penalty is increasing from ten years to twenty years it may increase prison costs. Every person convicted and sentenced to the custody of the Department of Corrections will cost the state approximately \$49 per day for each day of incarceration. The fiscal impact would be dependent upon the number of adjudicated cases where the term of imprisonment is greater than ten years.

Prepared By: Marilyn Anderson

**Other Considerations**

None.

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