

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1122 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Scott Biggs

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 1122

By: Biggs

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to drug possession; providing for the preemption of certain laws of municipalities and political subdivisions; prohibiting municipalities and political subdivisions from prosecuting certain ordinances; providing an exception to mandatory preemption; allowing for the establishment of municipal criminal courts of record; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 2-1001 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The State Legislature hereby occupies and preempts the entire field of legislation in this state touching in any way the prosecution of offenses relating to the possession of controlled dangerous substances, except marijuana, to the complete exclusion of

1 any order, ordinance, local legislation or regulation by any
2 municipality or other political subdivision of this state.

3 B. No municipality or other political subdivision shall
4 prosecute any laws or ordinances relating to the offense of
5 possession of a controlled dangerous substance, except marijuana.
6 Any existing or future orders, ordinances, local legislation or
7 regulations in violation of this section is void and unenforceable.

8 C. The preemption provisions of this section shall not apply to
9 prosecutions in municipal criminal courts of record for offenses
10 relating to the possession of controlled dangerous substances.
11 Nothing in this section shall prohibit a municipality from
12 establishing a municipal criminal court of record pursuant to the
13 provisions of Section 28-101 of Title 11 of the Oklahoma Statutes.

14 SECTION 2. This act shall become effective July 1, 2017.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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20 56-1-7053 GRS 02/20/17
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