

BILL SUMMARY
1st Session of the 56th Legislature

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| Bill No.: | HB 1482 |
| Version: | INT |
| Request Number: | 5071 |
| Author: | Rep. Biggs |
| Date: | 2/13/2017 |
| Impact: | Establishes a felony sentence, possible increase in prison costs, dependent upon number of adjudicated cases and sentences imposed |

Research Analysis

HB 1482 creates the “Keep Oklahoma Children Safe from Illegal Drugs Act of 2017”. The measure provides that any person who possesses or purchases a controlled dangerous substance within 1,000 feet of a day care, elementary or secondary school, vocational school, college, university or other higher education institution, church, recreation center or public park, fairgrounds, recreation area, or in the presence of any child under twelve is guilty of a felony. Punishment for a first offense is a term of up to 5 years imprisonment, a fine of not more than \$5,000 or both fine and imprisonment and the person must serve not less than 50% of the sentence before being eligible for earned credits. Punishment for a second or subsequent offense is a term of up to 10 years imprisonment, a fine of not more than \$10,000 or both fine and imprisonment and the person must serve not less than 90% of the sentence before being eligible for earned credits.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 1482, as introduced, establishes a felony sentence for possessing or purchasing a controlled and dangerous substance in or on, or within 1,000 feet of specific locations or in the presence of a child less than 12 years of age.

The proposed penalties are as follows:

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| First Offense | Imprisonment not exceeding 5 years, a fine not exceeding \$5,000 or both. Offender shall serve a minimum of 50% of sentence before earning credits toward completion of sentence. |
| Second Offense | Imprisonment not exceeding 10 years, a fine not exceeding \$10,000 or both. Offender shall serve a minimum of 90% of sentence before earning credits toward completion of sentence. |

If incarcerated the average cost to house an inmate for OK DOC is \$52.24/day and \$19,067.60/annually.

The overall fiscal impact of HB 1482 is dependent upon the number of adjudicated cases, those which result in incarceration versus a fine (or both), and the length of the prison term imposed.

Prepared By: Kristina King

Other Considerations

None.

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