

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB3239</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>9265</b>
<b>Author:</b>	<b>Lawson</b>
<b>Date:</b>	<b>2/12/2024</b>
<b>Impact:</b>	<b>OIDS: Minimal</b>
	<b>AOC: Revenue Negative</b>

**Research Analysis**

HB 3239 allows cities having a population of more than 15,000 to establish "qualified DUI municipal court not of record". A municipal governing body must determine by resolution that a court be created and if so cause a certified copy of the resolution be filed in the office of the county clerk of each county in which the municipality is located. A prerequisite of the creation of the court, a municipality must have a stand-alone city attorney or city prosecutor specifically tasked with handling such matters before the court.

A qualified DUI municipal court not of record has jurisdiction to prosecute a defendant for any offenses related to driving under the influence of alcohol or other intoxicating substance or operating a motor vehicle while impaired for two dispositions during a ten-year period from the date of plea of the first disposition. Any subsequent arrest must be filed in district court.

The measure outlines the ranges of punishments and actions that a qualified DUI municipal court not of record may require of a defendant.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

This measure would create a "qualified DUI municipal court not of record" in certain cities based on population. If these cities prosecute DUIs in their "municipal courts not of record" rather than sending the cases to the District Attorney (DA) to be prosecuted in State District Court, then the supervision fees, assessments, fines, and costs that the DA and District Courts had been collecting from these cases at the state budget level would be lost. Furthermore, the Oklahoma Indigent Defense System (OIDS) would experience an impact tied to how many qualifying cities outside of Tulsa and Oklahoma Counties establish DUI courts in their courts not of record. Based on estimates provided by officials from OIDS, the potential loss to OIDS could be \$75,000 in fees that would no longer be collected with the passage of this measure. In its current form, HB3239 does not create an immediate need for appropriations as OIDS and the Administrative Office of the Courts (AOC) are expected to absorb these losses, however the measure is revenue negative at the state budget level.

Prepared By: Robert Flipping IV, House Fiscal Staff

**Other Considerations**

None.

