

An Act

ENROLLED SENATE
BILL NO. 786

By: Weaver and Hines of the
Senate

and

George of the House

An Act relating to crimes and punishments; amending 21 O.S. 2021, Section 1220, which relates to transporting intoxicating beverage; prohibiting certain consumption of marijuana; increasing certain fine; updating statutory language and references; and providing an effective date.

SUBJECT: Crimes and punishments

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1220, is amended to read as follows:

Section 1220. A. ~~Except as provided in subsection C of this section, it~~ 1. It shall be unlawful for any operator to knowingly transport or for any passenger to possess in any moving vehicle upon a public highway, street, or alley any ~~intoxicating alcoholic~~ beverage or low-point beer, as defined ~~by Sections 163.1 and 163.2~~ in Section 1-103 of Title ~~37~~ 37A of the Oklahoma Statutes, except in the original container which shall not have been opened and from which the original cap or seal shall not have been removed, unless the opened container ~~be~~ is in the rear trunk or rear compartment, which shall include the spare tire compartment in a station wagon or panel truck, or any outside compartment which is not accessible to the driver or any other person in the vehicle while it is in motion.

2. It shall be unlawful to consume marijuana or inhale secondhand marijuana smoke due to another person's consumption of marijuana while operating a motor vehicle on a public highway,

street, or alley. A person operating a motor vehicle on a public highway, street, or alley shall not possess any open container that contains marijuana in the passenger area of the motor vehicle.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be punished as provided in subsection A of Section ~~566~~ 6-125 of Title ~~37~~ 37A of the Oklahoma Statutes.

B. Any person convicted of violating any provision of subsection A of this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of ~~One Hundred Dollars (\$100.00)~~ Two Hundred Fifty Dollars (\$250.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section ~~1-2522~~ 1-2530.9 of Title 63 of the Oklahoma Statutes.

C. The provisions of paragraph 1 of subsection A of this section shall not apply to the passenger area of buses and limousines; however, it shall be unlawful for the driver of the bus or limousine to consume or have in the driver's immediate possession any intoxicating beverage or low-point beer.

D. No city, town, or county may adopt any order, ordinance, rule, or regulation concerning the consumption or serving of intoxicating beverages or low-point beer in buses or limousines.

E. As used in this section:

1. "Bus" means a vehicle as defined in Section 1-105 of Title 47 of the Oklahoma Statutes chartered for transportation of persons for hire. It shall not mean a school bus, as defined by Section 1-160 of Title 47 of the Oklahoma Statutes, transporting children or a vehicle operated pursuant to a franchise with a city or town operating over a regularly scheduled route; and

2. "Limousine" means a chauffeur-driven motor vehicle, other than a bus or taxicab, as defined by Section 1-174 of Title 47 of the Oklahoma Statutes, designed and used for transportation of persons for compensation.

SECTION 2. This act shall become effective November 1, 2025.

Passed the Senate the 17th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 6th day of May, 2025.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____