

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.: HB1460
Version: CCR A
Request Number:
Author: Rep. West (Tammy)
Date: 5/22/2025
Impact: GRF: Potentially Revenue Negative
FY26 maximum: -\$6.4M
FY27+: -\$9.2M to -\$10.7M
DPS: \$111,318.09 revenue loss; agency would seek
\$400,000 one time + \$50,000/yr support costs to build
DUI Database
AOC: \$154,278.26 (may offset with SJF funds)
ODMHSAS: Unknown annual revenue decrease

DOC: ~\$3,000,000 revenue loss (would absorb)
OBN: \$20,000 - \$25,000 revenue loss (would absorb)

Research Analysis

The Conference Committee Report A to HB 1460 removes the ability to assess and collect various fees on defendants. The measure removes the following fee assessments:

- \$5 misdemeanor possession marijuana or drug paraphernalia fee;
- Reimbursement to law enforcement for costs incurred for cleaning up illegal drug laboratory cites;
- \$300 per month electronic monitoring fee;
- \$40 application fee for indigent representation;
- \$15 assessment for persons convicted of misdemeanor or felony DUI offense;
- \$100 assessment to the Drug Abuse Education and Treatment Revolving Fund.

The measure includes language requiring the assessment for batterers conducted through a certified treatment program for batterers. Directs the courts to waive any unpaid costs of prosecution if the suspended sentence of an offender expires without being revoked.

Prepared By: Brad Wolgamott

Fiscal Analysis

The ~~CS~~ CCR A to HB1460 ~~removes from~~ gives flexibility to the sentencing powers of the court when imposing the District Attorney's Supervision Fee.

District Attorneys Council (DAC): Officials with the DAC have provided the following information:

AFFECTED DAC FUNDS

- None, however this would affect the State General Revenue Fund (GRF).

REVENUE IMPACT

- GRF: -\$9.2M to -\$10.7M annually

ASSUMPTIONS – BASED ON

- The collections recorded in PeopleSoft Financials are:
 - FY22 (07/01/2021 – 06/30/2022) - \$10,664,391.70
 - FY23 (07/01/2022 – 06/30/2023) - \$9,990,340.40
 - FY24 (07/01/2023 – 06/30/2024) - \$9,684,720.68
 - FY25 **1st half** (07/01/2024 – 12/31/2024) - \$4,811,717.28
- Current year collections are roughly in line with FY2024 collections, so FY2025 is projected to collect roughly the same as FY2024 (i.e. roughly \$9.6M). However, collections have also been declining over the years (6% reduction between FY2022 & FY2023, and 3% reduction between FY2023 & FY2024).
- HB1460 would be effective in November of 2025. Assuming checks stop being submitted by court clerks on that date, then the estimated fiscal impact for FY2026 could be roughly \$6.4 million less to the general revenue fund, with an additional roughly \$9.6 million less annually thereafter, potentially as low as \$9.2 million based upon recent trends.

~~The revenue impact to the GRF could be an estimated -\$9.2M to -\$10.7M annually beginning in FY27. Therefore, HB1460 in its current form is anticipated to have an overall negative revenue impact on the State's General Revenue Fund.~~

CCR A: This fee is no longer deleted and instead the courts have greater flexibility in waiving the supervision fee. Thus, the amounts provided above represent the maximum potential revenue loss to the GRF.

Department of Corrections (DOC): Officials with the DOC have provided the following information:

The CS to HB1460 will *reduce the 200 fund collections of the DOC by approximately \$3,000,000 annually and DOC would use existing budgetary resources to absorb the impact.*

CCR A: Per DOC officials, the impact does not change.

Oklahoma Bureau of Narcotics and Dangerous Drugs (OBN): Officials with OBN have provided the following information:

Eliminating the \$5 misdemeanor possession marijuana or drug paraphernalia fee would result in a \$20,000 - \$25,000 annual decrease in revenue for the agency. This could be absorbed without much difficulty by using existing budgetary resources.

Therefore, as a result of the CS to HB1460, the *OBN would absorb a roughly \$20,000 - \$25,000 annual revenue decrease.*

CCR A: Per OBN officials, the impact does not change.

Oklahoma State Bureau of Investigation (OSBI): Officials with OSBI have provided the following information:

~~The fees that are deleted by the CS to HB1460 provide between \$700,000—\$900,000 annually to the agency. Losing this revenue would have a significant impact on the OSBI budget, and the agency may seek additional funding to defray this loss in revenue.~~

CCR A: Per OSBI officials, the CCR A removes the fiscal impact.

Department of Public Safety (DPS): Officials with DPS have provided the following information:

The ~~CS~~ CCR A to HB1460 would affect revenues collected by the DUI Database Fund. The previous 3 years of collections, and the current year-to-date collections for FY25 are as follows:

FY2022 = \$122,832.93

FY2023 = \$135,270.79

FY2024 = \$75,850.56

FY2025 (YTD as of 2/21/25) = \$44,758.05

~~This averages to \$111,318.09 in annual revenue to DPS that would be lost, and the agency would use existing budgetary resources to absorb this impact.~~

CCR A: DPS officials have provided the following information:

The CCR A still removes the funding mechanism for the Impaired Driver Database. DPS has a statutory responsibility to build the Impaired Driver Database and the funding to do that is through the Impaired Driver Database Fund. As amended by the CCR A, DPS will still have the requirement by law to build and maintain the database but with no identified funding stream. The intent of the Impaired Driver Database is to reduce recidivism of Impaired Drivers, and Oklahoma has a significant issue with repeat impaired driving offenders and those offenders causing crashes and fatalities. If the CCR A removes our funding mechanism for this database, then the agency would have to utilize other taxpayer funds not remitted by DUI offenders. DPS would have to divert funding from other critical public safety projects to fund the Impaired Driver Database as a result of losing these revenues. The estimated cost of this project is \$400,000 with an annual support fee of \$50,000, and has been delayed as funds were accruing to be allocated toward this project.

Administrative Office of the Courts (AOC): ~~Officials with the AOC have provided the following revised information:~~

~~Based on a review of the FY24 data, the District Courts would have a \$835,219 fiscal impact and the Court Clerk's at the local level would have a \$556,812 fiscal impact. The impact to the District Courts is the total of these two numbers since the Court Clerks would theoretically have to use funds that would have been submitted to the State Judicial Fund to offset the loss of this admin fee; therefore, the combined impact to the District Courts is \$1,392,031 as a result of decreased annual revenues from fines that were previously collected.~~

CCR A: Officials with the AOC have stated that the impact of the measure as amended by the CCR A is now \$154,278.26.

~~The CS removes Section 2 from the previous version of the measure. According to officials with DAC, Section 2 related to several provisions of 22 O.S. 988.9 which included fines and fees for supervision that went to the DOC. There would still be language in 22 O.S. 988.9 that would~~

~~allow for the courts to assess any amount of fines/fees for supervision, but removing Section 2 from the measure would effectively eliminate the supervision fees that are going to DOC. At most, this could lessen the total impact of the bill by \$3,000,000, however the true amount is likely to be less than this depending on how the modified language is administered. Additionally, the DOC had already planned to absorb this loss in revenue.~~

~~Therefore, based on the current form of the measure, the total revenue loss to the state is approximately \$12,275,849.09, and various agencies may still seek appropriations to defray this loss in revenue.~~

~~The FA1 restores some fees collected by OSBI that were being deleted or removed, and further deletes other fines and fees that were being collected by OSBI, the AOC, ODMHSAS. If all of the fees pertaining to OSBI were fully restored, then the impact would be reduced by a maximum of \$900,000. However, the net change is unknown based upon the additional collections newly deleted by the FA1 which have not been analyzed yet. Therefore, the overall fiscal impact may be reduced to \$11,375,849.09 by restoring some collections to OSBI, but the net change is unknown.~~

Therefore, as amended by the CCR A, the impact is summarized as follows:

GRF: \$10,700,000 Maximum potential revenue loss (waived supervision fees)

DPS: \$111,318.09 annual revenue loss, would seek funding for \$400,000 one time cost + \$50,000 annual support cost to build & maintain Impaired Driver Database.

AOC: \$154,278.26 revenue loss, and may use State Judicial Fund to offset this loss

ODMHSAS: Unknown revenue loss

Absorbable:

DOC: \$3,000,000 Maximum potential revenue loss (would absorb)

OBN: \$25,000 Maximum potential revenue loss (would absorb)

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.