

1 **SENATE FLOOR VERSION**

2 February 11, 2025

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 786

6 By: Weaver of the Senate

7 and

8 George of the House

9 An Act relating to crimes and punishments; amending
10 21 O.S. 2021, Section 1220, which relates to
11 transporting intoxicating beverage; prohibiting
12 certain consumption of marijuana; increasing certain
13 fine; updating statutory language; updating statutory
14 references; and providing an effective date.

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

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

18 Section 1220. A. ~~Except as provided in subsection C of this~~
19 ~~section, it~~ 1. It shall be unlawful for any operator to knowingly
20 transport or for any passenger to possess in any moving vehicle upon
21 a public highway, street, or alley any intoxicating alcoholic
22 beverage or low-point beer, as defined by Sections 163.1 and 163.2
23 in Section 1-103 of Title 37 37A of the Oklahoma Statutes, except in
24 the original container which shall not have been opened and from
which the original cap or seal shall not have been removed, unless

1 the opened container ~~be~~ is in the rear trunk or rear compartment,
2 which shall include the spare tire compartment in a station wagon or
3 panel truck, or any outside compartment which is not accessible to
4 the driver or any other person in the vehicle while it is in motion.

5 2. It shall be unlawful to consume marijuana or inhale
6 secondhand marijuana smoke due to another person's consumption of
7 medical marijuana while operating a motor vehicle on a public
8 highway, street, or alley. A person operating a motor vehicle on a
9 public highway, street, or alley shall not possess any open
10 container that contains marijuana in the passenger area of the motor
11 vehicle.

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

16 B. Any person convicted of violating any provision of
17 subsection A of this section shall, in addition to any fine imposed,
18 pay a special assessment trauma-care fee of ~~One Hundred Dollars~~
19 ~~(\$100.00)~~ Two Hundred Fifty Dollars (\$250.00) to be deposited into
20 the Trauma Care Assistance Revolving Fund created in Section ~~1-2522~~
21 1-2530.9 of Title 63 of the Oklahoma Statutes.

22 C. The provisions of paragraph 1 of subsection A of this
23 section shall not apply to the passenger area of buses and
24 limousines; however, it shall be unlawful for the driver of the bus

1 or limousine to consume or have in the driver's immediate possession
2 any intoxicating beverage or low-point beer.

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

6 E. As used in this section:

7 1. "Bus" means a vehicle as defined in Section 1-105 of Title
8 47 of the Oklahoma Statutes chartered for transportation of persons
9 for hire. It shall not mean a school bus, as defined by Section 1-
10 160 of Title 47 of the Oklahoma Statutes, transporting children or a
11 vehicle operated pursuant to a franchise with a city or town
12 operating over a regularly scheduled route; and

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

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

18 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
19 February 11, 2025 - DO PASS AS AMENDED BY CS
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