

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 483

By: Hall

AS INTRODUCED

An Act relating to seized alcohol; amending 22 O.S. 2021, Section 1261, which relates to seized property; removing certain requirements for seized alcohol; and providing an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 2021, Section 1261, is amended to read as follows:

Section 1261. In all cases where wines, whiskey, beer or other intoxicating liquors mentioned in the Constitution or laws of this state or any personal property used for the purpose of violating any of the prohibitory liquor laws or gambling laws of this state, shall be seized by any officer or person with or without a search warrant, such officer or person is hereby required within five (5) days to make a written report under oath and file the same with the court clerk of the proper or respective county where the same shall be so seized, which report shall in detail state the name of the officer or person making the seizure, the place where seized and an inventory of the property, articles or intoxicating liquors so taken

1 into possession, ~~and within said five (5) days said person is hereby~~
2 ~~required to deliver the same to the sheriff of the county and take~~
3 ~~the sheriff's receipt therefor, in duplicate and such sheriff shall~~
4 ~~retain the same and all thereof,~~ until the same shall be destroyed
5 pursuant to the orders of the court. ~~In computing the time, five~~
6 ~~(5) days, Sundays and holidays shall be excluded and not counted. A~~
7 ~~duplicate copy of said receipt shall immediately be filed with said~~
8 ~~court clerk, who shall keep a record of same, provided the sheriff~~
9 ~~and his deputies shall be required to make the affidavit and issue~~
10 ~~the receipt and otherwise comply with the provisions of this act.~~

11 Provided, that all liquors so seized shall be preserved for use as
12 evidence in the trial of any action growing out of such seizure and
13 all officers seizing any such liquors are hereby required to mark
14 the bottles or containers for identification by writing thereon the
15 date of the seizure and the name of the person from whom seized.
16 The sheriff shall be liable on his bond for the safe keeping of all
17 such property so turned over to him under the provisions of this
18 act.

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

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