

BILL SUMMARY
1st Session of the 59th Legislature

Bill No.:	HB2228
Version:	CS
Request Number:	7548
Author:	Rep. Ford
Date:	3/7/2023
Impact:	See analysis below

Research Analysis

The CS to HB 2228 prohibits the operation of a motor vehicle while holding or using a hand-held cellular telephone when the vehicle is in motion. The measure prohibits the confiscation of a cellular telephone to determine a violation without consent of the person. The measure limits the fine amount to \$5 and court costs and fees to not more than \$95 and directs the apportionment of the \$95.

Prepared By: Brad Wolgamott

Fiscal Analysis

This measure amends current statute relating to unlawful use of handheld devices while driving,

	Current Fee	HB2228 Fee	Impact
AG	\$3.00	\$1.30	-\$213.63
Attorney General Victim Services Unit	\$3.00	\$1.30	-\$213.63
CLEET	\$10.00	\$4.50	-\$691.17
Council on Law Enforcement Education and Training (CLEET) Fund	\$10.00	\$4.50	-\$691.17
DA	\$20.00	\$8.80	-\$1,407.47
District Attorneys Council Revolving Fund	\$20.00	\$8.80	-\$1,407.47
DHS	\$3.00	\$1.30	-\$213.63
Child Abuse Multidisciplinary Account	\$3.00	\$1.30	-\$213.63
DPS	\$20.00	\$9.00	-\$1,382.34
Department of Public Safety Patrol Vehicle Revolving Fund	\$20.00	\$9.00	-\$1,382.34
Local	\$15.00	\$6.97	-\$1,009.11
Municipal Clerk		\$0.22	\$27.65
Sheriff's Service Fee Account (courthouse security)	\$10.00	\$4.50	-\$691.17
Sheriff's Service Fee Account (incar fee)	\$5.00	\$2.25	-\$345.58
OSBI	\$20.00	\$8.38	-\$1,460.25
A.F.I.S. Fund	\$10.00	\$4.10	-\$741.44
Forensic Science Improvement Revolving Fund	\$10.00	\$4.28	-\$718.82
OSDH	\$10.00	\$0.00	-\$1,256.67
Trauma Care Assistance Revolving Fund	\$10.00	\$0.00	-\$1,256.67
State		\$0.40	\$50.27
General Revenue Fund		\$0.40	\$50.27
Courts (State Judicial Fund)	\$107.60	\$42.56	-\$8,173.38
Court Clerk Fees	\$88.00	\$33.72	-\$6,821.20
Court Clerk's Revolving Fund	\$9.60	\$3.84	-\$723.84
Fine (upon conviction)	\$10.00	\$5.00	-\$628.34
Courts (District)	\$45.40	\$16.79	-\$3,595.33
District Court Revolving Fund	\$14.40	\$5.79	-\$1,081.99
Law Library Revolving Fund	\$6.00	\$0.00	-\$754.00
Oklahoma Court Information System Revolving Fund	\$25.00	\$11.00	-\$1,759.34
Impact from OCIS County Data	\$254.00	\$100.00	-\$19,352.72

modifying the fine amount and directing its distribution. Officials from the Administrative Office of the Courts performed the following analysis on the crime code associated with this measure (crime code IN7) using the Oklahoma Court Information System (OCIS) database which collects data from 13 counties:

Data for the remaining 64 counties is retained by a third party vendor (KellPro), however the courts have found that impact from KellPro counties is roughly equivalent to that of the OCIS counties. As such, by doubling the above OCIS impacts that have been outlined, statewide impact is estimated to be as follows:

Agency	Impact
AG	-\$427.27
CLEET	-\$1,382.34
Courts (District)	-\$7,190.67
Courts (State Judicial Fund)	-\$16,346.76
DA	-\$2,814.94
DHS	-\$427.27
DPS	-\$2,764.67
Local Level Funding	-\$2,018.21
OSBI	-\$2,920.50
OSDH	-\$2,513.34
State (General Revenue Fund)	\$100.53
Total Impact	-\$38,705.44

Prepared By: Robert Flipping IV, House Fiscal Staff

Other Considerations

None.