

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 ENGROSSED SENATE
5 BILL NO. 483

By: Hall of the Senate

6 and

7 Duel of the House
8
9

10 An Act relating to seized alcohol; amending 22 O.S.
11 2021, Section 1261, which relates to seized property;
12 removing certain requirements for seized alcohol;
13 preventing sheriff from being held liable during
14 safekeeping of seized alcohol; and providing an
15 effective date.

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

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

20 Section 1261. In all cases where wines, whiskey, beer or other
21 intoxicating liquors mentioned in the Constitution or laws of this
22 state or any personal property used for the purpose of violating any
23 of the prohibitory liquor laws or gambling laws of this state, shall
24 be seized by any officer or person with or without a search warrant,

1 such officer or person is hereby required within five (5) days to
2 make a written report under oath and file the same with the court
3 clerk of the proper or respective county where the same shall be so
4 seized, which report shall in detail state the name of the officer
5 or person making the seizure, the place where seized and an
6 inventory of the property, articles or intoxicating liquors so taken
7 into possession, and within said five (5) days said person is hereby
8 required to deliver the same to the sheriff of the county and take
9 the sheriff's receipt therefor, in duplicate and such sheriff shall
10 retain the same and all thereof, until the same shall be destroyed
11 pursuant to the orders of the court. In computing the time, five
12 (5) days, Sundays and holidays shall be excluded and not counted. A
13 duplicate copy of said receipt shall immediately be filed with said
14 court clerk, who shall keep a record of same, provided the sheriff
15 and his deputies shall be required to make the affidavit and issue
16 the receipt and otherwise comply with the provisions of this act.
17 Provided, that all liquors so seized shall be preserved for use as
18 evidence in the trial of any action growing out of such seizure and
19 all officers seizing any such liquors are hereby required to mark
20 the bottles or containers for identification by writing thereon the
21 date of the seizure and the name of the person from whom seized.
22 The sheriff shall be liable on his bond for the safe keeping of all
23 such property so turned over to him under the provisions of this
24 act.

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

COMMITTEE REPORT BY: COMMITTEE ON ALCOHOL, TOBACCO AND CONTROLLED
SUBSTANCES, dated 04/05/2023 - DO PASS.