

ENGROSSED HOUSE
BILL NO. 1600

BY: VAUGHN (Ray) of the
HOUSE

and

SNYDER of the SENATE

AN ACT RELATING TO STATE GOVERNMENT; REQUIRING
COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CERTIFICATION FOR CERTAIN CAMPUS PEACE OFFICERS;
ALLOWING CERTAIN INSTITUTIONS TO CREATE A CAMPUS
POLICE DEPARTMENT OR CAMPUS PUBLIC SAFETY
DEPARTMENT; PROVIDING WRITTEN CERTIFICATION TO
OFFICERS; STATING REQUIREMENTS; AUTHORIZING
INSTITUTIONS TO PRESCRIBE DUTIES OF OFFICERS,
DESIGNATE UNIFORMS, FIX COMPENSATION AND PROVIDE
WRITTEN COMMISSION OF APPOINTMENT AND AUTHORITY;
STATING JURISDICTION; AUTHORIZING CERTAIN WORDS AND
PHRASES TO BE DISPLAYED; PROVIDING CERTAIN OPTIONS
FOR CERTAIN SCHOOLS; REPEALING 74 O.S. 1981,
SECTIONS 360.11, 360.12, 360.13 AND 360.14, WHICH
RELATE TO CAMPUS SECURITY; PROVIDING FOR
CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND
DECLARING AN EMERGENCY.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360.15 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The governing or controlling board of any public or accredited private institution of higher education, the board of education in any dependent or independent school district and any area vocational-technical school district may appoint officers to be designated as campus police officers or campus public safety officers for the purpose of protecting the lives of its people, all its properties, wherever located in the State of Oklahoma, and carrying out the duties enumerated in Section 3 of this act.

B. Beginning July 1, 1991, campus security departments may change from a security service or security department to a campus public safety department or campus police department. If a public or accredited private institution of higher education chooses to have a campus public safety department or campus police department, the institution shall train its officers pursuant to Section 3311 of Title 70 of the Oklahoma Statutes. Penalty fees shall be collected pursuant to Section 1313.2 of Title 20 of the Oklahoma Statutes upon conviction for violations filed by these campus police officers or campus public safety officers in municipal or district courts.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360.16 of Title 74, unless there is created a duplication in numbering, reads as follows:

The governing or controlling board of each public or accredited private institution of higher education, the board of education of each area vocational-technical school district and the board of education of each independent or dependent school district shall prescribe the duties for the campus public safety officers or campus police officers appointed by them, designate their uniform, and fix their compensation. Upon appointment, each such officer shall be given a written commission evidencing the officer's appointment and

authority together with a photo identification card in order to properly identify such officer's official capacities and in order to specify in detail the officer's description. The form of this commission shall be prescribed by the boards specified in this section. Upon termination of the officer's employment as a campus police officer or campus public safety officer, the issuing agency shall collect the commission card and photo identification of the officer.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360.17 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. Except for the serving or execution of civil process, any peace officer commissioned as a campus police officer or campus public safety officer pursuant to this act shall have all the powers vested by law in police officers in the protection of the lives of the people, the grounds, buildings and equipment of the institution involved, and shall direct his or her attention to the prevention of improper conduct and trespassing on the property of such institutions and, if required, make arrests and take into custody persons guilty of improper conduct or trespassing.

B. Campus public safety officers or campus police officers who have been certified pursuant to the provisions of Section 3311 of Title 70 of the Oklahoma Statutes shall have the same powers, liabilities and immunities with respect to criminal and traffic matters and enforcement of the laws of the state and the municipality in which the institution is situated as sheriffs and police officers, and shall have jurisdiction over all parts and aspects of their respective campuses and properties, including the territory adjacent thereto. These jurisdictional limits shall not operate to prevent the completion of any activity which began within these jurisdictions or arrest for crimes committed within these jurisdictions. Upon request of a municipality or county, such

officer shall also have jurisdiction over property anywhere in this state within the boundaries of the institution of higher education, county or municipality upon agreement between the directors or chiefs of their respective campus public safety department or campus police department employing such officer and the county or municipality.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360.18 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. It shall be the duty of the district attorney within whose district the improper conduct or trespassing is alleged to have taken place to prosecute such offense upon the complaint signed by such officer authorized by this act.

B. A campus police officer or campus public safety officer commissioned by this act, upon conviction of a felony or a crime involving moral turpitude, shall be required to forfeit such officer's commission.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360.19 of Title 74, unless there is created a duplication in numbering, reads as follows:

The governing or controlling board of any public or accredited private institution of higher education, the board of education of each area vocational-technical school district and the board of education of each independent or dependent school district in this state may:

1. Have a security agency licensed pursuant to the Oklahoma Security Guard and Private Investigator Act, Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes to be employed as campus security;
2. Operate a campus police department or campus public safety department;

3. Contract with their local municipal police department or sheriff's department to provide security services; or

4. Provide no security service.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360.20 of Title 74, unless there is created a duplication in numbering, reads as follows:

In creating a campus public safety department or campus police department, the governing or controlling board of any public or accredited private institution of higher education shall use only the following words or phrases, alone or in any combination, in conjunction with the uniform, badge, decal, vehicle, and/or patch displayed by the officers: campus police department, campus police officer, campus public safety department, campus public safety officer, or any standardized title such as director, chief, major, captain, lieutenant, sergeant, corporal.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 360.21 of Title 74, unless there is created a duplication in numbering, reads as follows:

Unless otherwise entitled to by law, a campus police officer or campus public safety officer as used in this act shall not be able to participate in either the Oklahoma Police Pension and Retirement System or the Oklahoma Law Enforcement Retirement System. The officer upon retirement shall be allowed to retain such officer's commission.

SECTION 8. REPEALER 74 O.S. 1981, Sections 360.11, 360.12, 360.13 and 360.14, are hereby repealed.

SECTION 9. This act shall become effective July 1, 1991.

SECTION 10. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 14th day of March, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate