

ENGROSSED HOUSE
BILL NO. 2360

BY: MADDUX (Elmer) of the
HOUSE

and

CAPPS of the SENATE

(COUNTIES AND COUNTY OFFICERS - AMENDING 19
O.S. 1991, SECTIONS 130.2, 130.5 AND 130.7 -
COMMISSION ON COUNTY GOVERNMENT PERSONNEL
EDUCATION AND TRAINING - EFFECTIVE DATE -
EMERGENCY)

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

SECTION 1. AMENDATORY 19 O.S. 1991, Section 130.2, is
amended to read as follows:

Section 130.2 The duties of the Commission shall be:

1. To oversee a professional development program for training Oklahoma county commissioners, county clerks, county treasurers, county assessors, county sheriffs, court clerks, their deputies and employees, through the Center for Local Government Technology and Cooperative Extension Service at Oklahoma State University;
2. To provide guidance to the Center for Local Government Technology and Cooperative Extension Service in designing curricula to be used in educational programs and materials;
3. To identify needs and set priorities for research to be conducted in cooperation with the Center for Local Government Technology and Cooperative Extension Service in areas relevant to

the study and improvement of Oklahoma county government and its functions and to accept gifts and grants for such purposes;

4. To cooperate with the advisory boards authorized in Section ~~4-130.4~~ 130.4 of this ~~act~~ title in determining the educational needs of county officials and their employees so that they can perform their duties and responsibilities efficiently and professionally;

5. To contract with the Center for Local Government Technology and Cooperative Extension Service at Oklahoma State University to administer county personnel education and training.

SECTION 2. AMENDATORY 19 O.S. 1991, Section 130.5, is amended to read as follows:

Section 130.5 The objectives of each education and training program, as developed by the Commission in consultation with the advisory boards and administered through the Center for Local Government Technology and Cooperative Extension Service at Oklahoma State University, shall include, but shall not be limited to:

1. Encouraging the professional development of the ~~five~~ groups of county officials and their employees governed by this act by providing educational programs and reference materials on job-related topics on a timely basis;

2. Improving the efficiency of county government operations by providing technical assistance in the administration of mandated duties;

3. Improving the technical skills of county employees by providing technical training in the operation and maintenance of construction equipment and machinery; and

4. Serving as a reference and resource center for county officials.

SECTION 3. AMENDATORY 19 O.S. 1991, Section 130.7, is amended to read as follows:

Section 130.7 Each county commissioner, county clerk, county treasurer, county assessor, county sheriff and court clerk holding

office on the effective date of this act and those elected thereafter and the deputies of such elected county officers shall be required to participate in the appropriate training programs and educational seminars relevant to their positions and duties conducted pursuant to Sections ~~±~~ 130.1 through ~~7~~ 130.7 of this ~~act~~ title. ~~Expenses related to attending such activities shall be reimbursed by the Commission.~~

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 530 of Title 19, unless there is created a duplication in numbering, reads as follows:

A. Until July 1, 1996, each person elected or appointed as county sheriff on or after July 1, 1992, shall be required to attend the County Sheriff Administrative Training Institute within forty-five (45) days after being elected or appointed to office. Beginning July 1, 1996, each person elected or appointed for the first time as county sheriff on or after July 1, 1996, shall be required to attend the County Sheriff Administrative Training Institute within forty-five (45) days after being elected or appointed to office. The Institute shall consist of at least thirty (30) hours of instruction. A certificate of completion shall be awarded to those persons who attend and successfully complete the Institute.

B. The Oklahoma State University Center for Local Government Technology shall establish guidelines and procedures to allow any person elected or appointed to fill a vacancy in the office of county sheriff, or any county sheriff who is unable to attend or complete the Institute within the time prescribed because of medical disability, providential cause or any other reason deemed sufficient by the Institute, to comply with the requirement prescribed in this section. Failure to successfully complete the Institute for any reason within six (6) months after being elected or appointed to office shall result in twenty-five percent (25%) of the monthly

salary or compensation and monthly travel allowance of the county sheriff being held in a separate account until such time the Institute is completed. When completion of the Institute is not achieved within the time prescribed, the Oklahoma State University Center for Local Government Technology shall notify the State Auditor and Inspector and the appropriate board of county commissioners and the county treasurer that completion of the Institute has been achieved at which time the total amount held in the account shall be released to the county sheriff.

C. The curriculum for the Institute shall be developed by the Oklahoma State University Center for Local Government Technology in cooperation with the Sheriffs Association of Oklahoma and shall include but not be limited to purchasing procedures, personnel administration, ethics, and financial management.

D. Each county sheriff who has successfully completed the Institute shall be required to annually complete a continuing education requirement of eight (8) hours per year. Failure to complete the continuing education requirement shall result in twenty-five percent (25%) of the monthly salary or compensation and monthly travel allowance of the county sheriff being held in a separate account until such time the requirement is completed. The salary or compensation shall be withheld in the manner prescribed in subsection B of this section. Continuing education shall consist of successful completion of academic units on changes in Oklahoma Statutes affecting the administrative duties and responsibilities of county sheriffs or other topics appropriate to the improvement of county sheriffs' offices.

E. Any person required to attend this Institute or to complete the continuing education shall be reimbursed by the county, if funds are available, for actual expenses associated with the attendance of these courses as provided in the State Travel Reimbursement Act.

F. Each official designated to receive filings from candidates for the office of county sheriff shall notify the candidate of the requirement for attendance at the Institute as provided for in this section.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 531 of Title 19, unless there is created a duplication in numbering, reads as follows:

A. Each county sheriff in office or assuming office on or after January 1, 1995, shall be required to achieve educational accreditation as prescribed by this section.

B. A county sheriff shall be required to successfully complete accreditation by January 1, 1996, if in office on January 1, 1995. Any county sheriff assuming office after January 1, 1995, shall be required to successfully complete accreditation within one (1) year of assuming office.

C. Failure to achieve such accreditation within the time prescribed shall result in twenty-five percent (25%) of the monthly salary or compensation and monthly travel allowance of the county sheriff being held in a separate account until such time accreditation is achieved. When accreditation is not achieved within the time prescribed, the Oklahoma State University Center for Local Government Technology shall notify the State Auditor and Inspector and the appropriate board of county commissioners and the county treasurer that accreditation has been achieved at which time the total amount held in the account shall be released to the county sheriff.

D. Failure to achieve accreditation by the end of the second year in office for such county sheriff shall result in the amount of salary or compensation withheld pursuant to the provisions of subsection C of this section being forfeited by such county sheriff unless such failure is due to reasons of medical disability, providential cause or any other reason deemed sufficient by the

Oklahoma State University Center for Local Government Technology. The amount forfeited shall be returned to the account in the county treasury from which it was originally appropriated.

E. The Oklahoma State University Center for Local Government Technology shall provide the necessary classes, seminars and materials in support of the accreditation and continuing education requirements. The Oklahoma State University Center for Local Government Technology in cooperation with the Sheriff's Association of Oklahoma shall develop educational requirements, curriculum materials, appropriate study resources and examinations for the accreditation requirements established in this section.

F. For purposes of the administration of the accreditation requirements, the Oklahoma State University Center for Local Government Technology shall be responsible for keeping an official record as to the accreditation of individual county sheriffs. Such record shall be the sole responsibility of Oklahoma State University. The Oklahoma State University Center for Local Government Technology shall issue the accreditations to all persons who have so qualified.

G. Any person required to complete accreditation as provided in this section shall be reimbursed by the county, if funds are available, for actual expenses associated with attendance at such courses as provided in the State Travel Reimbursement Act.

H. Each official designated to receive filings from candidates for the office of county sheriff shall notify the candidate of the requirement for accreditation as provided for in this section.

SECTION 6. This act shall become effective July 1, 1992.

SECTION 7. 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 10th day of March, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate