

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 827

BY: DOUGLASS

AS INTRODUCED

AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY;

AMENDING 74 O.S. 1991, SECTION 1811.4E, WHICH
RELATES TO THE DEPARTMENT OF PUBLIC SAFETY STATE
CAPITOL AND COWBOY HALL OF FAME PARKS DIVISION;
DELETING THE COWBOY HALL OF FAME DIVISION; RENAMING
THE CAPITOL DIVISION; AUTHORIZING CERTAIN LAW
ENFORCEMENT OFFICERS TO BE MEMBERS OF THE HIGHWAY
PATROL; GRANTING POWERS OF PEACE OFFICERS IN
COURTS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 1811.4E, is amended to read as follows:

Section 1811.4E A. There is hereby created the Department of Public Safety State Capitol ~~and Cowboy Hall of Fame~~ Parks Division within the Department of Public Safety to be known as the Oklahoma Capitol Patrol.

B. The Department of Public Safety shall have the authority to provide police patrol, security, and protection of all state buildings and properties within Oklahoma City and Tulsa, and for enforcing all parking, traffic, and criminal laws within the boundaries of the State Capitol Park, the Cowboy Hall of Fame Park,

the State Capitol Complex in Tulsa, and the Governor's Mansion and grounds appurtenant thereto.

C. Law enforcement personnel in the Division shall be members of the Highway Patrol and have the powers vested by law in peace officers ~~in the performance of their official duties~~ of the State of Oklahoma, except the service or execution of civil process, and shall be so deemed and taken in all courts having jurisdiction of offenses against the laws of the state. ~~The law enforcement personnel, if required, shall make arrests and prosecute any and all persons arrested by them.~~ Executive Security Officers employed pursuant to Section 2-105.3 of Title 47 of the Oklahoma Statutes shall be law enforcement personnel in the Division.

D. The Commissioner of Public Safety, in consultation with the Administrator of the Merit System of Personnel Administration, shall determine minimum qualifications of personnel in the Division. In appointing personnel, the Commissioner shall select them only after examinations to determine their physical and mental qualifications. The scope of the examinations shall be prescribed by the Commissioner. Personnel of the Division shall satisfactorily complete any training requirements that the Commissioner may prescribe.

E. Law enforcement personnel in the Division shall be required to serve a probationary period of twelve (12) months. The Commissioner may extend the probationary period for up to three (3) additional months provided that the employee and the Office of Personnel Management are notified in writing as to such action and the reasons therefor. During such probationary period their services may be terminated at any time and for any reason at the discretion of the Commissioner. Retention in the service after expiration of the probationary period shall entitle such employee to be classified as a permanent employee and he shall be so classified.

F. The Department of Public Safety is authorized to purchase and issue uniforms and necessary equipment to be used only in the performance of their official duties. All uniforms and equipment shall remain the property of the Department. The Commissioner is authorized to pay uniformed personnel an expense allowance in the amount and for the purchases as provided in Section 2-130 of Title 47 of the Oklahoma Statutes.

G. The Department of Public Safety is authorized to purchase and maintain motor vehicles and other equipment for use by the Division.

H. All personnel employed by and assigned to the State Capitol Police of the Office of Public Affairs and the Police of the Oklahoma Capitol Improvement Authority on July 1, 1982, are hereby transferred to the Department of Public Safety. No transferred employee shall be required to accept a lesser grade or salary than presently received plus any salary adjustments provided by the Legislature for state employees, and no entrance examinations shall be required for continued employment in the same or similar positions with the Department of Public Safety. Persons having the title of "Chief of Police", "Police Supervisor", and "Police Officer" shall retain their current titles. All funds, records, radios, motor vehicles, equipment, and supplies now under the jurisdiction and control of the Office of Public Affairs and the Oklahoma Capitol Improvement Authority, which are used in the operation of the State Capitol Police and the Capitol Improvement Authority Police are hereby transferred to the Department of Public Safety in partial consideration of the performance of the security and enforcement functions provided by the Department of Public Safety to the Office of Public Affairs and the Oklahoma Capitol Improvement Authority. The Office of Public Affairs and the Oklahoma Capitol Improvement Authority shall provide office and

operations space for the State Capitol and Cowboy Hall of Fame Parks
Division.

SECTION 2. This act shall become effective September 1, 1992.

43-2-1702

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