

ENGROSSED SENATE
BILL NO. 107

By: Gustafson of the Senate
and
Pettigrew of the House

An Act relating to the Council on Law Enforcement Education and Training; amending 70 O.S. 1991, Section 3311.4, which relates to continuing law enforcement training; modifying continued training for inactive peace officers; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 3311.4, is amended to read as follows:

Section 3311.4 A. Beginning January 1, 1991, and annually thereafter, every active full-time peace officer, certified by the Council on Law Enforcement Education and Training pursuant to Section 3311 of this title, shall attend and complete a minimum of eight (8) hours of continuing law enforcement training accredited or provided by the Council. The Council shall promulgate rules to enforce the provisions of this section and shall enter into contracts and agreements for the payment of classroom space, training, food, and lodging expenses as may be necessary for law enforcement officers attending such training in accordance with subsection B of Section 3311 of this title. Such training and seminars shall be conducted in all areas of this state at

vocational-technical schools, institutions of higher education, or other approved sites.

B. Every inactive full-time peace officer, certified by the Council, shall be exempt from these requirements during the inactive status. Upon re-entry to full-time active status, the peace officer shall be required to comply with paragraph A of this section. If a certified peace officer has been inactive for ~~five (5)~~ two (2) or more years, the officer must complete forty (40) hours or less of refresher training as prescribed by the Council, within one (1) year of employment.

C. Any active full-time certified peace officer, who fails to meet the annual training requirements specified in this section, shall be subject to having the certification of the peace officer suspended, after having been given written notice of noncompliance and a reasonable time, as defined by the Council, to comply with the provisions of this section. A peace officer shall not be employed in the capacity of a peace officer during any period of suspension. The suspension period shall be for a period of time until the officer files a statement attesting to full compliance with the provisions of this section. Any officer whose certification is suspended pursuant to this section may request a hearing with the Council. Said hearings shall be governed by the Administrative Procedures Act, Section 250.1 et seq. of Title 75 of the Oklahoma Statutes, except that the affected officer has the burden to show the Council why the Council should not have the certification of the officer suspended.

SECTION 2. 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 Senate the 28th day of February, 1995.

President of the Senate

Passed the House of Representatives the ____ day of
_____, 1995.

Speaker of the House of
Representatives