ENGROSSED SENATE
BILL NO. 17

By: Wilkerson of the Senate

and

Plunk of the House

An Act relating to peace officers; amending 21 O.S. 1991, Section 99, which relates to definition for peace officers; amending 22 O.S. 1991, Section 36, which relates to immunity for assisting a peace officer; granting the United States Marshals and Marshals Service deputies peace officer status; providing certain immunity; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 99, is amended to read as follows:

Section 99. The term "peace officer" signifies any sheriff, ~~constable or~~ policeman, ~~and~~ or any other ~~officers~~ law enforcement officer whose duty it is to enforce and preserve the public peace.

Every United States Marshal and Marshals Service deputy who is employed full-time as a law enforcement officer by the Federal Government, who is authorized by federal law to conduct any investigation of, and make any arrest for, any offense in violation of federal law shall have the same authority, and be empowered to act, as peace officers within the State of Oklahoma in rendering assistance to any law enforcement officer in an emergency, or at the

request of any officer, and to arrest any person committing any offense in violation of the laws of this state.

SECTION 2. AMENDATORY 22 O.S. 1991, Section 36, is amended to read as follows:

Section 36. Private citizens aiding a ~~police~~ peace officer, or other officers of the law in the performance of their duties as ~~police~~ peace officers or officers of the law, shall have the same civil and criminal immunity as ~~such~~ a peace officer, as a result of any act or commission for aiding or attempting to aid a ~~police~~ peace officer or other officer of the law, when such officer is in imminent danger of loss of life or grave bodily injury or when such officer requests such assistance and when such action was taken under emergency conditions and in good faith.

Every United States Marshal and Marshals Service deputy while engaged in the performance of official duties as a federal law enforcement officer or when acting as a peace officer for the State of Oklahoma shall have the same immunity from civil and criminal actions as any other peace officer performing official duties within this state.

SECTION 3. This act shall become effective November 1, 1995.

Passed the Senate the 1st day of March, 1995.

President of the Senate

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

Speaker of the House of Representatives