

ENROLLED HOUSE
BILL NO. 1898

By: Beutler of the House

and

Herbert of the Senate

An Act relating to state government; amending 74 O.S. 1991, Section 1811.4E, as amended by Section 1, Chapter 302, O.S.L. 1992 (74 O.S. Supp. 1994, Section 1811.4E), which relates to the State Capitol Patrol; designating certain authority to the Oklahoma Capitol Patrol; authorizing additional duties as prescribed by Commissioner of Public Safety; 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, as amended by Section 1, Chapter 302, O.S.L. 1992 (74 O.S. Supp. 1994, Section 1811.4E), is amended to read as follows:

Section 1811.4E A. There is hereby created the Department of Public Safety State Capitol Division within the Department of Public Safety, to be known as the Oklahoma Capitol Patrol.

B. ~~The Department of Public Safety~~ Oklahoma Capitol Patrol shall have the authority to provide police patrol, security, and protection of all state buildings and properties within Oklahoma City and Tulsa Counties including grounds appurtenant thereto, and ~~for enforcing to enforce~~ all parking, traffic, and criminal laws within ~~the boundaries of Oklahoma and Tulsa Counties, the State Capitol Park, the State Capitol Complex in Tulsa, and the Governor's Mansion and grounds appurtenant thereto~~ shall have the authority to perform other law enforcement duties within the state as prescribed by the Commissioner of Public Safety.

C. Law enforcement personnel in the Division shall have the powers vested by law in peace officers in this state 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 this state. 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 Division.

SECTION 2. This act shall become effective November 1, 1995.

Passed the House of Representatives the 25th day of April, 1995.

Speaker of the House of
Representatives

Passed the Senate the 5th day of April, 1995.

President of the Senate