

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL 1969

By: Ingmire of the House

and

Laughlin of the Senate

COMMITTEE SUBSTITUTE

An Act relating to intoxicating liquors; amending 37 O.S. 1991, Sections 512 and 570, which relate to the Oklahoma Alcoholic Beverage Control Act; removing reference to obsolete personnel positions; adding qualifications for agents of the Alcoholic Beverage Law Enforcement Commission; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 37 O.S. 1991, Section 512, is amended to read as follows:

Section 512. A. ~~The members of the Commission, Director, and such~~ any agents ~~and inspectors~~ as the ABLE Commission appoints in writing shall have all the powers and authority of peace officers of this state for the purpose of enforcing the provisions of the Oklahoma Alcoholic Beverage Control Act.

B. The Director or any agent ~~or inspector~~ duly appointed, as provided in subsection A of this section, shall be authorized to arrest violators for offenses against laws of this state committed in the presence of the Director or said agents ~~or inspectors~~, and further upon the request of a sheriff or another peace officer of this state or any political subdivision thereof assist in apprehension and arrest of a violator or suspected violator of any of the laws of this state.

C. Effective July 1, 1988:

1. A commissioned employee of the ABLE Commission shall be entitled to receive, upon retirement by reason of length of service, the continued custody and possession of the sidearm and badge carried by ~~such~~ the employee immediately prior to retirement;

2. A commissioned employee of the ABLE Commission may be entitled to receive, upon retirement by reason of disability, the continued custody and possession of the sidearm and badge carried by ~~such~~ the employee immediately prior to retirement, upon approval of the Director; and

3. Custody and possession of the sidearm and badge of a commissioned employee of the ABLE Commission, killed in the line of duty may be awarded by the Director to the spouse or next of kin of the deceased employee.

SECTION 2. AMENDATORY 37 O.S. 1991, Section 570, is amended to read as follows:

Section 570. A. Persons employed as chief enforcement officer, ~~and agents, and inspectors~~ of the Alcoholic Beverage Laws Enforcement Commission shall meet the qualifications for permanent appointment as police or peace officers as provided for in Section 3311 of Title 70 of the Oklahoma Statutes.

B. Agents appointed on and after July 1, 2000, shall be at least twenty-one (21) years of age and shall have a bachelor's degree from an accredited college or university.

SECTION 3. This act shall become effective July 1, 2000.

SECTION 4. 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.