ENROLLED HOUSE
BILL NO. 2390

By: Hilliard, Nations and Mitchell of the House

and

Price of the Senate

An Act relating to counties and county officers; amending 19 O.S. 1991, Section 547, as last amended by Section 1, Chapter 48, O.S.L. 1999 (19 O.S. Supp. 1999, Section 547), which relates to deputizing certain persons and interlocal agreements to provide law enforcement services; authorizing sheriff to enter into agreement with other sheriff departments to provide emergency assistance under certain circumstances; defining term; and providing an effective date.

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

SECTION 1. AMENDATORY 19 O.S. 1991, Section 547, as last amended by Section 1, Chapter 48, O.S.L. 1999 (19 O.S. Supp. 1999, Section 547), is amended to read as follows:

Section 547. A. The sheriff shall be responsible for the official acts of the undersheriff and deputy sheriffs, and may revoke such appointments at the pleasure of the sheriff. The sheriff or the undersheriff may in writing depute certain persons to do particular acts.

B. Each sheriff may appoint as many reserve force deputy sheriffs as are necessary to preserve the peace and dignity of the county. A current list of each person holding such appointment shall be maintained by the county sheriff and shall be available to the public. Reserve force deputy sheriffs may perform duties which encompass a particular act or a series of acts. A sheriff or salaried deputy sheriff shall accompany a reserve force deputy sheriff in the performance of all duties assigned to such reserve force deputy sheriff unless such reserve deputy has completed the required one-hundred-twenty-hour basic police course. Reserve force deputies may receive compensation for their services. The sheriff may pay reserve force deputies for travel expenses pursuant to the State Travel Reimbursement Act. Such reserve deputy sheriffs shall complete a one-hundred-twenty-hour basic police course within twelve (12) months after they have been commissioned to be paid by the county as an individual reserve deputy. The sheriff may pay for additional training courses attended by reserve force deputies.

C. The sheriff or a designee may deputize municipal police officers subject to an interlocal governmental agreement to combine city and county law enforcement efforts and to encourage cooperation

between city and county law enforcement officials. Liability for the conduct of any municipal police officers deputized under the terms and conditions of an interlocal governmental agreement shall remain the responsibility of their municipal employer.

D. The sheriff may enter into mutual aid agreements pursuant to the Interlocal Cooperation Act, Section 1002 et seq. of Title 74 of the Oklahoma Statutes, to assist or provide law enforcement services to any town, city, and county within this state and the sheriff and deputies shall have law enforcement authority within the jurisdiction making the request. The employing governmental unit shall remain responsible for their officers or deputies pursuant to any mutual aid agreement.

E. A sheriff of the county may respond to any request from any other jurisdiction within the state for law enforcement assistance in cases of emergency. The sheriff, deputy sheriffs and reserve deputy sheriffs serving in response to the emergency request shall have the same powers and duties as though employed by the requesting law enforcement agency, and when so acting they shall be deemed to be acting within the scope of employment of the requesting law enforcement agency. Salaries, insurance and other benefits shall be provided in the regular manner by the county in which the sheriff, deputy sheriffs and reserve deputy sheriffs are regularly employed. As used in this subsection, "emergency" means a sudden and unforeseeable occurrence or condition, either as to its onset or its extent, of such severity or magnitude that immediate response or action is necessary to assist law enforcement agencies having jurisdiction at the scene of the emergency to carry out their functions.

SECTION 2. This act shall become effective November 1, 2000.

Passed the House of Representatives the 28th day of February, 2000.

Speaker of the House of Representatives

Passed the Senate the 10th day of April, 2000.

President of the Senate