

EHB 1794

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THE STATE SENATE
Thursday, March 18, 1999

ENGROSSED

House Bill No. 1794

ENGROSSED HOUSE BILL NO. 1794 - By: SMITH (Hopper) of the House and FORD of the Senate.

An Act relating to the Oklahoma Bureau of Narcotics and Dangerous Drugs Control; amending 63 O.S. 1991, Section 2-103, as amended by Section 2, Chapter 387, O.S.L. 1998 (63 O.S. Supp. 1998, Section 2-103), which relates to agent qualifications; specifying date after which newly appointed agents must meet certain qualifications; and declaring an emergency.

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

SECTION 1. AMENDATORY 63 O.S. 1991, Section 2-103, as amended by Section 2, Chapter 387, O.S.L. 1998 (63 O.S. Supp. 1998, Section 2-103), is amended to read as follows:

Section 2-103. A. The Director shall be appointed by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission. The Director of Narcotics and Dangerous Drugs Control on January 1, 1984, shall be initially appointed as Director. The succeeding Director shall, at the time of his appointment, have a Bachelor's Degree from an accredited college or university and at least five (5) years' experience in drug law enforcement. The Director may appoint necessary assistants, agents, and other personnel to perform the work of the office and may prescribe their titles and duties and fix their compensation pursuant to Merit

1 System rules. The Director may appoint an employee to the position
2 of Public Information/Education Officer. Said position shall be
3 unclassified and exempt from the rules and procedures of the Office
4 of Personnel Management, except leave regulations. The office of
5 the Director shall be located at a suitable place in Oklahoma City,
6 Oklahoma.

7 B. 1. Agents appointed by the Director shall have the powers
8 of peace officers generally; provided, the Director may appoint
9 special agents to meet specific investigatory need, who do not meet
10 the age and educational requirements as specified in this section.

11 2. ~~On and after July 1, 1998, agents~~ Agents appointed on and
12 after November 1, 1998, shall be at least twenty-one (21) years of
13 age and shall have a Bachelor's Degree from an accredited college or
14 university.

15 3. Each entering agent shall be required to serve one (1) year
16 in a probationary status as a prerequisite to being placed on
17 permanent status.

18 C. Agents appointed pursuant to the provisions of this section
19 shall have the responsibility of investigating alleged violations
20 and shall have the authority to arrest those suspected of having
21 violated the provisions of the Uniform Controlled Dangerous
22 Substances Act.

1 D. A commissioned employee of the Oklahoma State Bureau of
2 Narcotics and Dangerous Drugs Control shall be entitled to receive
3 upon retirement by reason of length of service, the continued
4 custody and possession of the sidearm and badge carried by such
5 employee immediately prior to retirement.

6 E. A commissioned employee of the Bureau may be entitled to
7 receive, upon retirement by reason of disability, the continued
8 custody and possession of the sidearm and badge carried by such
9 employee immediately prior to retirement upon written approval of
10 the Director.

11 F. Custody and possession of the sidearm and badge of a
12 commissioned employee killed in the line of duty may be awarded by
13 the Director to the spouse or next of kin of the deceased employee.

14 SECTION 2. It being immediately necessary for the preservation
15 of the public peace, health and safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

18 COMMITTEE REPORT BY: COMMITTEE ON VETERANS, MILITARY AFFAIRS &
19 PUBLIC SAFETY, dated 3-16-99 - DO PASS, As Coauthored.