

EHB 2390

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THE STATE SENATE
Thursday, March 23, 2000

ENGROSSED

House Bill No. 2390

ENGROSSED 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. 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

(Bold face denotes Committee Amendments)

1 the public. Reserve force deputy sheriffs may perform duties which
2 encompass a particular act or a series of acts. A sheriff or
3 salaried deputy sheriff shall accompany a reserve force deputy
4 sheriff in the performance of all duties assigned to such reserve
5 force deputy sheriff unless such reserve deputy has completed the
6 required one-hundred-twenty-hour basic police course. Reserve force
7 deputies may receive compensation for their services. The sheriff
8 may pay reserve force deputies for travel expenses pursuant to the
9 State Travel Reimbursement Act. Such reserve deputy sheriffs shall
10 complete a one-hundred-twenty-hour basic police course within twelve
11 (12) months after they have been commissioned to be paid by the
12 county as an individual reserve deputy. The sheriff may pay for
13 additional training courses attended by reserve force deputies.

14 C. The sheriff or a designee may deputize municipal police
15 officers subject to an interlocal governmental agreement to combine
16 city and county law enforcement efforts and to encourage cooperation
17 between city and county law enforcement officials. Liability for
18 the conduct of any municipal police officers deputized under the
19 terms and conditions of an interlocal governmental agreement shall
20 remain the responsibility of their municipal employer.

21 D. The sheriff may enter into mutual aid agreements pursuant to
22 the Interlocal Cooperation Act, Section 1002 et seq. of Title 74 of
23 the Oklahoma Statutes, to assist or provide law enforcement services

1 to any town, city, and county within this state and the sheriff and
2 deputies shall have law enforcement authority within the
3 jurisdiction making the request. The employing governmental unit
4 shall remain responsible for their officers or deputies pursuant to
5 any mutual aid agreement.

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 3-20-00
24 - DO PASS.