

CS for SB 113

THE STATE SENATE
Monday, February 25, 2002

Committee Substitute for
Senate Bill No. 113

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 113 - By: HELTON and HENRY
of the Senate and NANCE of the House.

[county officers - deputy sheriffs - effective date]

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

SECTION 1. AMENDATORY 19 O.S. 2001, 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, provided
however, no deputy sheriff shall, after 6 years of service, be
discharged except for just cause. No deputy sheriff shall be
involved in any political campaigning for the office of 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

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

13 C. 1. For counties with a population of two hundred thousand
14 (200,000) or more persons, according to the latest Federal Decennial
15 Census, reserve force deputy sheriffs with at least one hundred
16 sixty (160) hours of training pursuant to Section 3311 of Title 70
17 of the Oklahoma Statutes shall not serve more than one hundred forty
18 (140) hours per calendar month.

19 2. For counties with a population of less than two hundred
20 thousand (200,000) persons, according to the latest Federal
21 Decennial Census, reserve force deputy sheriffs with at least one
22 hundred sixty (160) hours of training shall not serve more than one
23 hundred ten (110) hours per calendar month.

1 D. The sheriff or a designee may deputize municipal police
2 officers subject to an interlocal governmental agreement to combine
3 city and county law enforcement efforts and to encourage cooperation
4 between city and county law enforcement officials. Liability for
5 the conduct of any municipal police officers deputized under the
6 terms and conditions of an interlocal governmental agreement shall
7 remain the responsibility of their municipal employer.

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

16 F. A sheriff of the county may respond to any request from any
17 other jurisdiction within the state for law enforcement assistance
18 in cases of emergency. The sheriff, deputy sheriffs and reserve
19 deputy sheriffs serving in response to the emergency request shall
20 have the same powers and duties as though employed by the requesting
21 law enforcement agency, and when so acting they shall be deemed to
22 be acting within the scope of employment of the requesting law
23 enforcement agency. Salaries, insurance and other benefits shall be

1 provided in the regular manner by the county in which the sheriff,
2 deputy sheriffs and reserve deputy sheriffs are regularly employed.
3 As used in this subsection, "emergency" means a sudden and
4 unforeseeable occurrence or condition, either as to its onset or its
5 extent, of such severity or magnitude that immediate response or
6 action is necessary to assist law enforcement agencies having
7 jurisdiction at the scene of the emergency to carry out their
8 functions.

9 G. A reserve force deputy sheriff shall be authorized to serve
10 civil process pursuant to Section 2004 of Title 12 of the Oklahoma
11 Statutes.

12 SECTION 2. This act shall become effective November 1, 2001.

13 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-19-02 - DO
14 PASS, As Amended and Coauthored.