

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1394

By: Nance

AS INTRODUCED

An Act relating to prisons and reformatories; amending 57 O.S. 1991, Section 54, which relates to persons authorized to act as jailer; authorizing jailer to use nonlethal weaponry; and providing an effective date.

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

SECTION 1. AMENDATORY 57 O.S. 1991, Section 54, is amended to read as follows:

Section 54. The jailer, jail director or keeper of the jail shall, unless the sheriff elects to act as jailer in person, be a deputy appointed by the sheriff; provided, that the sheriff may, with approval as provided in Section 162 of Title 19 of the Oklahoma Statutes, appoint civilian employees as he may require to operate the county jail. Those persons hired as civilian employees need not complete the training prescribed for peace officers, as provided by Section 3311 of Title 70 of the Oklahoma Statutes, but need only complete such training as the sheriff deems necessary for the civilians to properly perform the duties assigned to them, or such training as may otherwise be prescribed by law. The jailer shall take the necessary oaths before entering upon the duties of his office. A jailer in a county having a population of greater than four hundred thousand (400,000), according to the latest Federal Decennial Census, may be authorized by the sheriff of the county to use nonlethal weaponry upon completion of appropriate training. The sheriff shall in all cases be liable for the negligence and misconduct of the jailer as of other deputies.

The provisions of this section shall not apply to jails operated by private prison contractors pursuant to a contract with the board of county commissioners.

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

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