

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1591

By: Wilkerson

AS INTRODUCED

An Act relating to the Oklahoma State Bureau of Investigation; amending 74 O.S. 2001, Section 150.2, which relates to the responsibilities of the Bureau; modifying language; directing the OSBI maintain a nationally accredited scientific laboratory; authorizing the OSBI to certify laboratory personnel; establishing the OSBI as the official scientific laboratory for criminal investigative and evidentiary analysis; requiring national accreditation of certain laboratories; directing the Bureau to establish minimal criteria for certain laboratories and personnel; directing the OSBI to promulgate certain rules within certain time; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 74 O.S. 2001, Section 150.2, is amended to read as follows:

Section 150.2 The Oklahoma State Bureau of Investigation shall have the power and duty to:

1. Maintain a nationally accredited scientific laboratories laboratory to assist all law enforcement agencies in the discovery and detection of criminal activity;
2. Maintain fingerprint and other identification files including criminal history records, juvenile identification files, and DNA profiles;
3. Establish, coordinate and maintain the automated fingerprinting identification system (AFIS) and the deoxyribonucleic acid (DNA) laboratory;
4. Operate teletype, mobile and fixed radio or other communications systems;

5. Conduct schools and training programs for the agents, peace officers, and technicians of this state charged with the enforcement of law and order and the investigation and detection of crime;

6. Assist the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control, the Chief Medical Examiner, and all law enforcement officers and district attorneys when such assistance is requested, in accordance with the policy determined by the Oklahoma State Bureau of Investigation Commission established in Section 150.3 of this title;

7. Investigate and detect criminal activity when directed to do so by the Governor;

8. Investigate, detect, institute and maintain actions involving vehicle theft pursuant to Section 150.7 of this title or oil, gas or oil field equipment theft pursuant to Sections 152.2 through 152.9 of this title;

9. Investigate any criminal threat made to the physical safety of elected or appointed officials of this state or any political subdivision of the state and forward the results of that investigation to the Department of Public Safety, and provide security to foreign elected or appointed officials while they are in this state on official business; ~~and~~

10. Investigate and detect violations of the Oklahoma Computer Crimes Act; and

11. Certify laboratory personnel employed in any nationally accredited scientific laboratory in this state that conducts criminal investigative and evidentiary analysis.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 150.36 of Title 74, unless there is created a duplication in numbering, reads as follows:

The Oklahoma State Bureau of Investigation is hereby designated the official scientific laboratory in this state for criminal investigative and evidentiary analysis. The Bureau laboratory shall

maintain national accreditation and shall develop minimal criteria for all other scientific laboratories conducting criminal investigative or evidentiary analysis of substances, materials and biological samples in this state to be used in relation to any criminal proceeding or for identification of any suspect or alleged suspect. All laboratory personnel conducting criminal investigative or evidentiary analysis in any scientific laboratory in this state may be required to be certified pursuant to the rules promulgated by the Bureau. The Bureau shall establish and modify rules as necessary to maintain the integrity of all scientific laboratories and laboratory personnel conducting criminal investigative and evidentiary analysis in this state. The Bureau shall promulgate rules to comply with the provision of this section within one year of the effective date of this act.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

48-2-1779

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