STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 444 By: Shurden

AS INTRODUCED

An Act relating to the Department of Public Safety; amending Section 7, Chapter 245, O.S.L. 1998, as last amended by Section 2, Chapter 378, O.S.L. 2000 (47 O.S. Supp. 2000, Section 2-105.7), which relates to the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety; providing uniforms, vehicles and equipment of an officer of the Oklahoma Highway Patrol Division to officers of the Capitol Patrol Section; eliminating certain requirements necessary for reclassification; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 7, Chapter 245, O.S.L. 1998, as last amended by Section 2, Chapter 378, O.S.L. 2000 (47 O.S. Supp. 2000, Section 2-105.7), is amended to read as follows:

Section 2-105.7 A. Effective January 1, 2001, the Oklahoma Capitol Patrol Division of the Department of Public Safety is hereby abolished.

B. There is hereby created within the Oklahoma Highway Patrol Division of the Department of Public Safety a Capitol Patrol Section which shall consist of such employees as may be necessary to provide law enforcement services to all state buildings and properties, including grounds appurtenant thereto, within Oklahoma County and Tulsa County. All commissioned officers of the Capitol Patrol Section as designated by the Commissioner shall have the authority to enforce all parking, traffic, and criminal laws within Oklahoma County and Tulsa County, and shall have the authority to perform other law enforcement duties within the state as prescribed by the Commissioner of Public Safety.

C. Effective January 1, 2001, all commissioned officers in the Oklahoma Capitol Patrol Division of the Department of Public Safety and the powers, duties, responsibilities and authority of the Division are hereby transferred to the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety as established in subsection B of this section. Each officer classified as a Capitol Patrol Trainee on December 31, 2000, shall be reclassified as a Patrol Trainee, each officer classified as Probationary Capitol Patrolman on December 31, 2000, shall be reclassified as a Probationary Patrolman, each officer classified as a Capitol Patrol Officer on December 31, 2000, shall be reclassified as a Patrolman, each officer classified as a Capitol Patrol Sergeant on December 31, 2000, shall be reclassified as a Patrol Sergeant, each officer classified as a Capitol Patrol Supervisor on December 31, 2000, shall be reclassified as a Patrol Supervisor with the rank of Second Lieutenant, and each officer classified as a Capitol Patrol Commander on December 31, 2000, shall be reclassified as a Patrol First Lieutenant as established in subsection G of this section. Officers transferred pursuant to the provisions of this subsection, except as provided in subsection D of this section, shall not be required to meet the educational requirements set forth in paragraph 2 of subsection B of Section 2-105 of this title.

D. After January 1, 2001, any officer set out in subsection C of this section shall have the uniform, vehicle and equipment of an officer of the Oklahoma Highway Patrol Division of the Department of Public Safety. Any such officer may request reclassification to the equivalent lateral position, rank, and salary within the Oklahoma Highway Patrol Division and shall be reclassified to the position ~~if the officer:~~

~~1. Meets the requirements of paragraph 2 of subsection B of Section 2-105 of this title. Provided, the officer shall be exempt from the maximum age limitation;~~

~~2. Satisfactorily completes a Patrol Academy of the Department of Public Safety; and~~

~~3. Serves a twelve-month probationary period which shall commence upon entering the Patrol Academy required by paragraph 2 of this subsection.~~

~~Such reclassified officer shall be subject to reassignment as determined by the Chief of the Oklahoma Highway Patrol Division~~.

E. All commissioned officers of the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall have, in addition to their primary duty as prescribed in subsection B of this section, a secondary duty to enforce all state statutes, to make arrests for violations and to perform other duties as prescribed by the Commissioner of Public Safety in accordance with Section 2-117 of this title.

F. The Department of Central Services and the Oklahoma Capitol Improvement Authority shall provide office and operations space for the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

G. 1. Effective January 1, 2001, the annual salaries for the commissioned officers within the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety shall be in accordance and conformity with the following salary schedule and as prescribed by paragraph 2 of this subsection, exclusive of longevity pay, as authorized by Section 840-2.18 of Title 74 of the Oklahoma Statutes, expense allowance, as authorized by Section 2-130 of this title, and irregular shift pay, as authorized by Section 2-130.1 of this title:

Patrol First Lieutenant	$55,143.00
Patrol Supervisor	$51,206.00
Patrol Sergeant	$49,546.00
Patrolman	
Step 1	$27,000.00

Step 2	$28,200.00
Step 3	$29,458.00
Step 4	$30,776.00
Step 5	$32,157.00
Step 6	$33,604.00
Step 7	$35,121.00
Step 8	$36,711.00
Step 9	$38,377.00
Step 10	$40,123.00
Step 11	$41,953.00
Step 12	$43,871.00
Step 13	$45,881.00
Step 14	$47,987.00
Probationary Patrolman	$26,454.00
Patrol Trainee	$24,348.00

2. On January 1, 2001, each Patrolman shall be assigned and the salary of such Patrolman shall be adjusted to the salary schedule provided for in paragraph 1 of this subsection. Such initial adjustment of salaries shall be to the step which number corresponds to the number of completed years of service such Patrolman has accumulated in the former Oklahoma Capitol Patrol Division of the Department of Public Safety. Provided, however, no such Patrolman shall receive less than the salary the Patrolman was receiving on December 31, 2000. If the number of completed years of service of such Patrolman exceeds fourteen (14) years on January 1, 2001, then said Patrolman shall be assigned to, and the salary of such Patrolman shall be adjusted to, Step 14 of said salary schedule.

3. After January 1, 2001, each Patrolman shall receive upon the anniversary date of the Patrolman an annual salary increase to the next higher step of the salary schedule provided for in paragraph 1 of this subsection if such Patrolman, within the preceding twelve-month period:

a. has achieved a satisfactory Performance Rating Score,

b. has not received any disciplinary action which has resulted in any suspension from the Department for a period of ten (10) or more days, and

c. has not received any disciplinary action which has resulted in demotion.

4. Except as provided in paragraphs 1, 2, and 3 of this subsection, in any twelve-month period no Patrolman shall receive:

a. a salary increase which exceeds an increase to the next higher step of the salary schedule provided for in paragraph 1 of this subsection, or

b. more than one such salary increase to the step of the salary schedule provided for in paragraph 1 of this subsection, unless salary increases are authorized by the Legislature.

Provided, however, such Patrolman shall receive the salary increase which results from a promotion to another position within the Capitol Patrol Section.

5. The steps prescribed for the position of Patrolman in the salary schedule provided for in paragraph 1 of this subsection are for salary and compensation purposes only. No Patrolman shall be reassigned to another such step of said salary schedule for the purposes of demotion, discipline, promotion, incentive, reward or for any other reason other than the salary increases provided for in paragraph 1, 2, and 3 of this subsection.

6. Upon graduation from the Council on Law Enforcement Education and Training Academy, each Patrol Trainee shall be promoted to and shall receive the salary for the position of Probationary Patrolman. Upon completion of the one-year probationary period, as required in subsection C of Section 2-105 of this title, each Probationary Patrolman shall be promoted to and shall receive the salary for Step 1 of the position of Patrolman, as

provided for in paragraph 1 of this subsection. Thereafter, the salary of such Patrolman shall be subject to the provisions of this subsection.

H. The provisions of this section shall supersede all existing laws covering the salaries for the commissioned officers in the Capitol Patrol Section of the Oklahoma Highway Patrol Division of the Department of Public Safety.

SECTION 2. 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.

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