

THE HOUSE OF REPRESENTATIVES
Monday, February 26, 2007

House Bill No. 1618

HOUSE BILL NO. 1618 - By: ROAN of the House and CORN of the Senate.

An Act relating to law enforcement training; amending 70 O.S. 2001, Section 3311, as last amended by Section 1, Chapter 225, O.S.L. 2006 (70 O.S. Supp. 2006, Section 3311), which relates to the Council on Law Enforcement Education and Training; deleting certain psychological instruments used for evaluating persons being certified as police or peace officers; directing employing agencies to administer psychological instruments according to certain standards; directing the employing agencies to provide certain information; requiring a psychologist to make certain reports; limiting additional procedures or requirements; deleting duplicate language; and providing an effective date.

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3311, as last amended by
2 Section 1, Chapter 225, O.S.L. 2006 (70 O.S. Supp. 2006, Section 3311), is amended to
3 read as follows:
4 Section 3311. A. There is hereby re-created a Council on Law Enforcement
5 Education and Training which shall be, and is hereby declared to be, a governmental
6 agency of the State of Oklahoma, body politic and corporate, with powers of government
7 and with the authority to exercise the rights, privileges and functions specified by
8 Sections 3311 through 3311.10 of this title. The Council shall be composed of nine (9)
9 members, the Director of the Oklahoma State Bureau of Investigation, one member
10 appointed by the Governor who may be a lay person, and seven police or peace officers,

1 one selected by each of the following: the Court of Criminal Appeals, the Commissioner
2 of Public Safety, the Board of Directors of the Oklahoma Sheriffs and Peace Officers
3 Association, the Oklahoma Association of Police Chiefs, the Board of Directors of the
4 Oklahoma Sheriffs' Association, the Board of Directors of the Fraternal Order of Police
5 and the Governor. The Director selected by the Council shall be an ex officio member of
6 the Council and shall act as Secretary. The Council on Law Enforcement Education and
7 Training shall select a chair and vice-chair from among its members. Members of the
8 Council on Law Enforcement Education and Training shall not receive a salary for duties
9 performed as members of the Council, but shall be reimbursed for their actual and
10 necessary expenses incurred in the performance of Council duties pursuant to the
11 provisions of the State Travel Reimbursement Act.

12 B. The Council on Law Enforcement Education and Training is hereby authorized
13 and directed to:

14 1. Appoint a larger Advisory Council to discuss problems and hear
15 recommendations concerning necessary research, minimum standards, educational
16 needs, and other matters imperative to upgrading Oklahoma law enforcement to
17 professional status;

18 2. Promulgate rules with respect to such matters as certification, revocation,
19 suspension, withdrawal and reinstatement of certification, minimum courses of study,
20 testing and test scores, attendance requirements, equipment and facilities, minimum
21 qualifications for instructors, minimum standards for basic and advanced in-service
22 courses, and seminars for Oklahoma police and peace officers;

1 3. Authorize research, basic and advanced courses, and seminars to assist in
2 program planning directly and through subcommittees;

3 4. Authorize additional staff and services necessary for program expansion;

4 5. Recommend legislation necessary to upgrade Oklahoma law enforcement to
5 professional status;

6 6. Establish policies and regulations concerning the number, geographic and police
7 unit distribution, and admission requirements of those receiving tuition or scholarship
8 aid available through the Council. Such waiver of costs shall be limited to duly
9 appointed members of legally constituted local, county, and state law enforcement
10 agencies on the basis of educational and financial need;

11 7. Appoint a Director and an Assistant Director to direct the staff, inform the
12 Council of compliance with the provisions of this section and perform such other duties
13 imposed on the Council by law;

14 8. Enter into contracts and agreements for the payment of classroom space, food,
15 and lodging expenses as may be necessary for law enforcement officers attending any
16 official course of instruction approved or conducted by the Council. Such expenses may
17 be paid directly to the contracting agency or business establishment. The food and
18 lodging expenses for each law enforcement officer shall not exceed the authorized rates
19 as provided for in the State Travel Reimbursement Act; provided, however, the Council
20 may provide food and lodging to law enforcement officials attending any official course of
21 instruction approved or conducted by the Council rather than paying for the provision of
22 such food and lodging by an outside contracting agency or business establishment;

1 monies to the Council on Law Enforcement Education and Training to make payments
2 on the lease, loan or other agreement for the purpose of retiring the bonds to be issued by
3 the Oklahoma Development Finance Authority or local public trust. Such lease, loan or
4 other agreement and the bonds issued to finance such facilities shall not constitute an
5 indebtedness of the State of Oklahoma or be backed by the full faith and credit of the
6 State of Oklahoma, and the lease, loan or other agreement and the bonds shall contain a
7 statement to such effect;

8 11. Accept gifts, bequests, devises, contributions and grants, public or private, of
9 real or personal property;

10 12. Appoint an advisory committee composed of representatives from security
11 guard and private investigative agencies to advise the Council concerning necessary
12 research, minimum standards for licensure, education, and other matters related to
13 licensure of security guards, security guard agencies, private investigators, and private
14 investigative agencies; and

15 13. Enter into agreements with agencies and business entities for the temporary
16 use of facilities of the Council, whereby contracting agencies and business entities shall
17 pay a fee to be determined by the Council by rule. All fees collected pursuant to these
18 agreements shall be deposited to the credit of the C.L.E.E.T. Training Center Revolving
19 Fund created pursuant to Section 3311.6 of this title. The Council is authorized to
20 promulgate emergency rules to effectuate the provisions of this paragraph.

21 C. 1. Payment of any fee provided for in this section may be made by a nationally
22 recognized credit or debit card issued to the applicant. The Council may publicly post

1 and collect a fee for the acceptance of the nationally recognized credit or debit card not to
2 exceed five percent (5%) of the amount of the payment. For purposes of this subsection,
3 "nationally recognized credit card" means any instrument or device, whether known as a
4 credit card, credit plate, charge plate, or by any other name, issued with or without fee by
5 an issuer for the use of the cardholder in obtaining goods, services, or anything else of
6 value and which is accepted by over one thousand merchants in this state. "Debit card"
7 means an identification card or device issued to a person by a business organization
8 which permits such person to obtain access to or activate a consumer banking electronic
9 facility. The Council shall determine which nationally recognized credit or debit cards
10 will be accepted as payment for fees.

11 2. Payment for any fee provided for in this title may be made by a business check.

12 The Council may:

- 13 a. add an amount equal to the amount of the service charge incurred, not
14 to exceed three percent (3%) of the amount of the check as a service
15 charge for the acceptance and verification of the check, or
16 b. add an amount of no more than Five Dollars (\$5.00) as a service charge
17 for the acceptance and verification of a check. For purposes of this
18 subsection, "business check" shall not mean a money order, cashier's
19 check, or bank certified check.

20 D. Failure of the Legislature to appropriate necessary funds to provide for expenses
21 and operations of the Council on Law Enforcement Education and Training shall not

1 invalidate other provisions of this section relating to the creation and duties of the
2 Council.

3 E. 1. No person shall be eligible to complete a basic police course approved by the
4 Council until the Oklahoma State Bureau of Investigation and the Federal Bureau of
5 Investigation have reported to the submitting agency that such person has no felony
6 record, and the employing agency has reported to the Council that such person has
7 undergone psychological testing as provided for in paragraph 2 of this subsection, and
8 the applicant has certified the completion of a high school diploma or a GED equivalency
9 certificate and that the applicant is not participating in a deferred sentence agreement
10 for a felony or a crime involving moral turpitude or is not currently subject to an order of
11 the Council revoking, suspending, or accepting a voluntary surrender of peace officer
12 certification and that the applicant is not currently undergoing treatment for a mental
13 illness, condition, or disorder. For purposes of this subsection, "currently undergoing
14 treatment for mental illness, condition, or disorder" means the person has been
15 diagnosed by a licensed physician or psychologist as being afflicted with a substantial
16 disorder of thought, mood, perception, psychological orientation, or memory that
17 significantly impairs judgment, behavior, capacity to recognize reality, or ability to meet
18 the ordinary demands of life and such condition continues to exist.

19 2. No person shall be certified as a police or peace officer in this state unless the
20 employing agency has reported to the Council that:

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

- 1 a. the Oklahoma State Bureau of Investigation and the Federal Bureau
2 of Investigation have reported that such person has no record of a
3 conviction of a felony or crime involving moral turpitude,
4 b. such person has undergone psychological evaluation ~~such as the~~
5 ~~Minnesota Multiphasic Personality Inventory, the California~~
6 ~~Psychological Inventory (CPI), or other~~ by the employing agency using
7 a psychological instrument approved by the Council on Law
8 Enforcement Education and Training. The employing agency shall
9 administer the psychological instrument in accordance with standards
10 established within the test document. To aid the evaluating
11 psychologist in interpreting the test results, including automated
12 scoring and interpretations, the employing agency shall provide the
13 psychologist a statement confirming the identity of the individual
14 taking the test as the person who is employed or seeking employment
15 as a peace officer of the agency and attesting that it administered the
16 psychological instrument in accordance with standards within the test
17 document. The psychologist shall report to the employing agency the
18 evaluation of the assessment instrument and may include any
19 additional recommendations to assist the employing agency in
20 determining whether to certify to the Council on Law Enforcement
21 Education and Training that the person being evaluated is suitable to
22 serve as a peace officer in the State of Oklahoma. No additional

1 procedures or requirements shall be imposed for performance of the
2 psychological evaluation. The psychological instrument utilized shall
3 be evaluated by a psychologist licensed by the State of Oklahoma, and
4 the employing agency shall certify to the Council that the evaluation
5 was conducted in accordance with this provision and that the
6 employee/applicant is suitable to serve as a peace officer in the State of
7 Oklahoma. ~~Nothing herein shall preclude a psychologist licensed in~~
8 ~~the state from employing additional psychological techniques to assist~~
9 ~~the employing agency's determination of the employee/applicant's~~
10 ~~suitability to serve as a peace officer in the State of Oklahoma.~~ Any
11 person found not to be suitable for employment or certification by the
12 Council shall not be employed, retained in employment as a peace
13 officer, or certified by the Council for at least one (1) year, at which
14 time the employee/applicant may be reevaluated by a psychologist
15 licensed by the State of Oklahoma. This section shall also be
16 applicable to all reserve peace officers in the State of Oklahoma. Any
17 person who is certified by CLEET and has undergone the psychological
18 evaluation required by this subparagraph and has been found to be
19 suitable as a peace officer shall not be required to be reevaluated for
20 any subsequent employment as a peace officer following retirement or
21 any break in service as a peace officer,

- 1 c. such person possesses a high school diploma or a GED equivalency
2 certificate, provided this requirement shall not affect those persons
3 who are already employed as a police or peace officer prior to
4 November 1, 1985,
- 5 d. such person is not participating in a deferred sentence agreement for a
6 felony or a crime involving moral turpitude,
- 7 e. such person has attained twenty-one (21) years of age prior to
8 certification as a peace officer,
- 9 f. such person has provided proof of United States citizenship or resident
10 alien status, pursuant to an employment eligibility verification form
11 from the United States Citizenship and Immigration and
12 ~~Naturalization Service~~ Services, and
- 13 g. the name, gender, date of birth, and address of such person have been
14 presented to the Department of Mental Health and Substance Abuse
15 Services by the Council. The Department of Mental Health and
16 Substance Abuse Services shall respond to the Council within ten (10)
17 days whether the computerized records of the Department indicate the
18 applicant has ever been involuntarily committed to an Oklahoma state
19 mental institution. In the event that the Department of Mental Health
20 and Substance Abuse Services reports to the Council that the applicant
21 has been involuntarily committed, the Council shall immediately
22 inform the employing agency,

1 and the Council has determined that such person has satisfactorily completed a basic
2 police course of not less than one hundred sixty (160) hours of accredited instruction for
3 reserve police officers and reserve deputies and not less than three hundred (300) hours
4 for full-time salaried police or peace officers from the Council or curriculum or course of
5 study approved by the Council; provided, the Council may increase the number of hours
6 for the completion of a basic police course by requiring independent study. Beginning
7 January 1, 2003, the basic police course for full-time-salaried police or peace officers shall
8 be increased to not less than three hundred two (302) hours. Subject to the availability of
9 money, beginning July 1, 2005, the basic police course for full-time-salaried police or
10 peace officers shall be increased to not less than three hundred eighty (380) hours. Said
11 training shall include training in crime and drug prevention, crisis intervention, and
12 youth and family intervention techniques and recognizing, investigating and preventing
13 abuse and exploitation of elderly persons.

14 3. Every person who has not been certified as a police or peace officer and is duly
15 appointed or elected as a police or peace officer shall hold such position on a temporary
16 basis only, and shall, within one (1) year from the date of appointment or taking office,
17 qualify as required in this subsection or forfeit such position; provided, however, effective
18 November 1, 2004, every person who has not been certified as a police or peace officer
19 and is duly appointed or elected as a police or peace officer shall hold such position on a
20 temporary basis only, and shall, within six (6) months from the date of appointment or
21 taking office, qualify as required in this subsection or forfeit such position. In computing
22 the time for qualification, all service shall be cumulative from date of first appointment

1 or taking office as a police or peace officer with any department in this state. The
2 Council may extend the time requirement specified in this paragraph for good cause as
3 determined by the Council. An elected police or peace officer shall be eligible to enroll in
4 a basic police course in accordance with this subsection upon being elected. A duty is
5 hereby imposed upon the employing agency to withhold payment of the compensation or
6 wage of said unqualified officer. If the police or peace officer fails to forfeit the position or
7 the employing agency fails to require the officer to forfeit the position, the district
8 attorney shall file the proper action to cause the forfeiting of such position. The district
9 court of the county where the officer is employed shall have jurisdiction to hear the case.

10 4. The Council may certify officers who have completed a course of study in another
11 state deemed by the Council to meet standards for Oklahoma peace officers providing the
12 officer's certification in the other state has not been revoked or voluntarily surrendered
13 and is not currently under suspension.

14 5. For purposes of this section, a police or peace officer is defined as a full-time duly
15 appointed or elected officer who is paid for working more than twenty-five (25) hours per
16 week and whose duties are to preserve the public peace, protect life and property,
17 prevent crime, serve warrants, and enforce laws and ordinances of this state, or any
18 political subdivision thereof; provided, elected sheriffs and their deputies and elected,
19 appointed, or acting chiefs of police shall meet the requirements of this subsection within
20 the first six (6) months after assuming the duties of the office to which they are elected or
21 appointed or for which they are an acting chief; provided further, that this section shall

1 not apply to persons designated by the Director of the Department of Corrections as
2 peace officers pursuant to Section 510 of Title 57 of the Oklahoma Statutes.

3 F. No person shall be certified as a police or peace officer by the Council or be
4 employed by the state, a county, a city, or any political subdivision thereof, who is
5 currently subject to an order of the Council revoking, suspending, or accepting a
6 voluntary surrender of peace officer certification or who has been convicted of a felony or
7 a crime involving moral turpitude, unless a full pardon has been granted by the proper
8 agency; however, any person who has been trained and certified by the Council on Law
9 Enforcement Education and Training and is actively employed as a full-time peace officer
10 as of November 1, 1985, shall not be subject to the provisions of this subsection for
11 convictions occurring prior to November 1, 1985.

12 G. Every person employed as a police or peace officer in this state shall be
13 fingerprinted by the employing law enforcement agency. One set of fingerprint
14 impressions shall be mailed to the Oklahoma State Bureau of Investigation and one set
15 to the Federal Bureau of Investigation, Washington, D.C., within ten (10) days from the
16 initial date of employment.

17 H. 1. The Council is hereby authorized to provide to any employing agency the
18 following information regarding a person who is or has applied for employment as a
19 police or peace officer of such employing agency:

- 20 a. Oklahoma State Bureau of Investigation and Federal Bureau of
21 Investigation reports,
22 b. administration of the psychological tests provided for herein,

- c. performance in the course of study or other basis of certification,
- d. previous certifications issued, and
- e. any administrative or judicial determination denying certification.

2. An employing agency shall not be liable in any action arising out of the release of contents of personnel information relevant to the qualifications or ability of a person to perform the duties of a police or peace officer when such information is released pursuant to written authorization for release of information signed by such person and is provided to another employing agency which has employed or has received an application for employment from such person.

3. As used in this subsection, “employing agency” means a political subdivision or law enforcement agency which either has employed or received an employment application from a person who, if employed, would be subject to this section.

I. 1. A law enforcement agency employing police or peace officers in this state shall report the hiring, resignation, or termination for any reason of a police or peace officer to the Council at a time established by the Council. Failure to comply with the provisions of this subsection may disqualify a law enforcement agency from participating in training programs sponsored by the Council.

2. A tribal law enforcement agency that has peace officers commissioned by an Oklahoma law enforcement agency pursuant to a cross-deputization agreement with the State of Oklahoma or any political subdivision of the State of Oklahoma pursuant to the provisions of Section 1221 of Title 74 of the Oklahoma Statutes shall report the commissioning, resignation, or termination of commission for any reason of a cross-

1 deputized tribal police or peace officer to CLEET within ten (10) days of the
2 commissioning, resignation, or termination. Failure to comply with the provisions of this
3 subsection may disqualify a tribal law enforcement agency from participating in training
4 programs sponsored by the Council.

5 J. It is unlawful for any person to willfully make any statement in an application to
6 CLEET knowing the statement is false or intentionally commit fraud in any application
7 to the Council for attendance in any CLEET-conducted or CLEET-approved peace officer
8 academy or Collegiate Officer Program or for the purpose of obtaining peace officer
9 certification or reinstatement. It is unlawful for any person to willfully submit false or
10 fraudulent documents relating to continuing education rosters, transcripts or certificates,
11 or any canine license application. Any person convicted of a violation of this subsection
12 shall be guilty of a felony punishable by imprisonment in the Department of Corrections
13 for a term of not less than two (2) years nor more than five (5) years, or by a fine not
14 exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

15 K. 1. A police or peace officer shall be subject to disciplinary action to include a
16 denial, suspension, revocation or acceptance of voluntary surrender of peace officer
17 certification upon a showing of clear and convincing evidence for the following:

- 18 a. conviction of a felony or a crime of domestic violence,
19 b. conviction of a misdemeanor involving moral turpitude; provided, if the
20 conviction is a single isolated incident that occurred more than five (5)
21 years ago and the Council is satisfied that the person has been

1 sufficiently rehabilitated, the Council may certify such person
2 providing that all other statutory requirements have been met,
3 c. a verdict of guilt or entry of a plea of guilty or nolo contendere for a
4 deferred sentence for a felony offense, a crime of moral turpitude, or a
5 crime of domestic violence,
6 d. falsification or a willful misrepresentation of information in an
7 employment application or application to the Council on Law
8 Enforcement Education and Training, records of evidence, or in
9 testimony under oath,
10 e. revocation or voluntary surrender of police or peace officer certification
11 in another state for a violation of any law or rule or in settlement of
12 any disciplinary action in such state, or
13 f. involuntary commitment of a police or peace officer in a mental
14 institution or licensed private mental health facility for any mental
15 illness, condition or disorder that is diagnosed by a licensed physician
16 or psychologist as a substantial disorder of thought, mood, perception,
17 psychological orientation, or memory that significantly impairs
18 judgment, behavior, capacity to recognize reality, or ability to meet the
19 ordinary demands of life. Provided, the peace officer certification may
20 be reinstated upon the Council receiving notification of a psychological
21 evaluation conducted by a licensed physician or psychologist which
22 attests and states by affidavit that the officer and the evaluation test

1 data of the officer have been examined and that, in the professional
2 opinion of the physician or psychologist, the officer is psychologically
3 suitable to return to duty as a peace officer.

4 2. Disciplinary proceedings shall be commenced by filing a complaint with the
5 Council on a form approved by the Council and verified by the complainant. Any
6 employing agency or other person having information may submit such information to
7 the Council for consideration as provided in this subsection.

8 3. Upon the filing of the verified complaint, a preliminary investigation shall be
9 conducted to determine whether:

10 a. there is reason to believe the person has violated any provision of this
11 subsection or any other provision of law or rule, or

12 b. there is reason to believe the person has been convicted of a felony, a
13 crime involving moral turpitude or a domestic violence offense or is
14 currently participating in a deferred sentence for such offenses.

15 4. When the investigation of a complaint does not find the person has violated any
16 of the provisions of this subsection, or finds that the person is sufficiently rehabilitated
17 as provided in subparagraph b or f of paragraph 1 of this subsection, no disciplinary
18 action shall be required and the person shall remain certified as a police or peace officer.
19 When the investigation of a complaint finds that the person has violated any of the
20 provisions of this subsection, the matter shall be referred for disciplinary proceedings.
21 The disciplinary proceedings shall be in accordance with Articles I and II of the
22 Administrative Procedures Act.

1 5. The Council shall revoke the certification of any person upon determining that
2 such person has been convicted of a felony or a crime involving moral turpitude or a
3 domestic violence offense; provided, that if the conviction has been reversed, vacated or
4 otherwise invalidated by an appellate court, such conviction shall not be the basis for
5 revocation of certification; provided further, that any person who has been trained and
6 certified by the Council on Law Enforcement Education and Training and is actively
7 employed as a full-time peace officer as of November 1, 1985, shall not be subject to the
8 provisions of this subsection for convictions occurring prior to November 1, 1985. The
9 sole issue to be determined at the hearing shall be whether the person has been
10 convicted of a felony, a crime involving moral turpitude or a domestic violence offense.

11 6. The Council shall revoke the certification of any person upon determining that
12 such person has received a deferred sentence for a felony, a crime involving moral
13 turpitude or a domestic violence offense.

14 7. The Council may suspend the certification of any person upon a determination
15 that such person has been involuntarily committed to a mental institution or mental
16 health facility for a mental illness, condition or disorder as provided in subparagraph f of
17 paragraph 1 of this subsection.

18 8. For all other violations of this subsection, the hearing examiner shall take into
19 consideration the severity of the violation, any mitigating circumstances offered by the
20 person subject to disciplinary action, and any other evidence relevant to the person's
21 character to determine the appropriate disciplinary action.

1 11. Any person or agency required or authorized to submit information pursuant to
2 this section to the Council shall be immune from liability arising from the submission of
3 the information as long as the information was submitted in good faith and without
4 malice.

5 L. 1. Every canine team in the state trained to detect controlled dangerous
6 substances shall be certified, by test, in the detection of such controlled dangerous
7 substances and shall be recertified annually so long as the canine is used for such
8 detection purposes. The certification test and annual recertification test provisions of
9 this subsection shall not be applicable to canines that are owned by a law enforcement
10 agency and that are certified and annually recertified in the detection of controlled
11 dangerous substances by the United States Customs Service.

12 2. The Council shall appoint a Drug Dog Advisory Council to make
13 recommendations concerning minimum standards, educational needs, and other matters
14 imperative to the certification of canines and canine teams trained to detect controlled
15 dangerous substances. The Council shall promulgate rules based upon the
16 recommendations of the Advisory Council. Members of the Advisory Council shall
17 include, but need not be limited to, a commissioned officer with practical knowledge of
18 such canines and canine teams from each of the following:

- 19 a. the Oklahoma State Bureau of Narcotics and Dangerous Drugs
20 Control,
- 21 b. the Department of Public Safety,
- 22 c. a police department,

- 1 d. a sheriff's office, and
- 2 e. a university or college campus police department.

3 3. The fee for the certification test shall be Two Hundred Dollars (\$200.00) and the
4 annual recertification test fee shall be One Hundred Dollars (\$100.00) per canine team.
5 A retest fee of Fifty Dollars (\$50.00) will be charged if the team fails the test. No such fee
6 shall be charged to any local, state or federal government agency. The fees provided for
7 in this paragraph shall be deposited to the credit of the C.L.E.E.T. Fund created
8 pursuant to Section 1313.2 of Title 20 of the Oklahoma Statutes.

9 M. 1. Every canine team in the state trained to detect explosives, explosive
10 materials, explosive devices, and materials which could be used to construct an explosive
11 device shall be certified, by test, in the detection of such explosives and materials and
12 shall be recertified annually so long as the canine is used for such detection purposes.
13 The certification test and annual recertification test provisions of this subsection shall
14 not be applicable to canines that are owned by a law enforcement agency if such canines
15 are certified and annually recertified in the detection of explosives and materials by the
16 United States Department of Defense.

17 2. The Council shall appoint a Bomb Dog Advisory Council to make
18 recommendations concerning minimum standards, educational needs, and other matters
19 imperative to the certification of canines and canine teams trained to detect explosives,
20 explosive materials, explosive devices and materials which could be used to construct an
21 explosive device. The Council shall promulgate rules based upon the recommendations of
22 the Advisory Council. Members of the Advisory Council shall include, but need not be

1 limited to, a commissioned officer with practical knowledge of such canines and canine
2 teams from each of the following:

- 3 a. the Department of Public Safety,
- 4 b. a police department,
- 5 c. a sheriff's office, and
- 6 d. a university or college campus police department.

7 3. The fee for the certification test shall be Two Hundred Dollars (\$200.00) and the
8 annual recertification test fee shall be One Hundred Dollars (\$100.00) per canine team.
9 A retest fee of Fifty Dollars (\$50.00) will be charged if the team fails the test. No such fee
10 shall be charged to any local, state or federal government agency. The fees provided for
11 in this paragraph shall be deposited to the credit of the C.L.E.E.T. Fund created
12 pursuant to Section 1313.2 of Title 20 of the Oklahoma Statutes.

13 N. All tribal police officers of any Indian tribe or nation who have been
14 commissioned by an Oklahoma law enforcement agency pursuant to a cross-deputization
15 agreement with the State of Oklahoma or any political subdivision of the State of
16 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of the Oklahoma
17 Statutes shall be eligible for peace officer certification under the same terms and
18 conditions required of members of the law enforcement agencies of the State of
19 Oklahoma and its political subdivisions, except that a fee of Three Dollars and sixteen
20 cents (\$3.16) per hour of training shall be charged for all basic police course training
21 provided pursuant to this subsection. Such fees shall be deposited to the credit of the
22 C.L.E.E.T. Fund created pursuant to Section 1313.2 of Title 20 of the Oklahoma

1 Statutes. CLEET shall issue peace officer certification to tribal police officers who, as of
2 July 1, 2003, are commissioned by an Oklahoma law enforcement agency pursuant to a
3 cross-deputization agreement with the State of Oklahoma or any political subdivision of
4 the State of Oklahoma pursuant to the provisions of Section 1221 of Title 74 of the
5 Oklahoma Statutes and have met the training and qualification requirements of this
6 section.

7 O. If an employing law enforcement agency in this state has paid the salary of a
8 person while that person is completing in this state a basic police course approved by the
9 Council and if within one (1) year after certification that person resigns and is hired by
10 another law enforcement agency in this state, the second agency or the person receiving
11 the training shall reimburse the original employing agency for the salary paid to the
12 person while completing the basic police course by the original employing agency.

13 SECTION 2. This act shall become effective November 1, 2007.

14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,
15 dated 02-22-07 - DO PASS, As Coauthored.