

THE HOUSE OF REPRESENTATIVES  
Tuesday, February 19, 2008

House Bill No. 2695

HOUSE BILL NO. 2695 - By: ROAN of the House and GARRISON of the Senate.

An Act relating to Department of Public Safety; providing intent language; authorizing Commissioner of Public Safety to own, train and use canines for certain purposes; providing for construction and repair of kennels; limiting use of kennel facilities; providing guidelines for expenditures; providing for codification; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma  
2 Statutes as Section 2-122.3 of Title 47, unless there is created a duplication in  
3 numbering, reads as follows:

4 A. The Legislature finds and declares that it is in the public interest:

5 1. For the Department of Public Safety to acquire, house and train canines to assist  
6 in explosives detection, to seek out and discover controlled dangerous substances, to  
7 perform drug interdiction, to perform patrol activities, to perform article searches, to  
8 provide officer protection, and to engage in tracking in order to assist in the  
9 apprehension and arrest of criminals or those reasonably believed to be criminals or  
10 engaged in a criminal activity; and

11 2. To kennel each canine with its full-time trainer-handler, who shall be the  
12 primary caregiver of the canine.

1 B. The Commissioner of Public Safety is hereby authorized, and it is hereby  
2 deemed to be a public function of the Department of Public Safety:

3 1. To own, train and use canines for the purposes described in subsection A of this  
4 section;

5 2. To house each canine of the Department with the particular trainer-handler of  
6 the canine; and

7 3. To pay from any monies available to the Department for the construction and  
8 repair expenses of a kennel for each canine of the Department on the private property of  
9 the trainer-handler of the canine.

10 C. Construction and repair expenses of a kennel shall include, but not be limited to,  
11 minor improvements to the real property of the trainer-handler, such as a necessary  
12 concrete slab for the kennel floor, kennel water line and spigot, kennel fencing, and  
13 shelter, all of which may be affixed to the real property of the trainer-handler. Fixtures  
14 to real property approved herein may also include a drainage and septic system for  
15 sanitary purposes, but only in the case which is the result of numerous canines, such as  
16 those used for tracking, kenneled at a particular location.

17 D. Any kennel facilities authorized by this section shall only be used for the  
18 kenneling of, caring for, and training of state-owned canines and shall be reasonable in  
19 both size and cost.

20 E. Any expenditure made under the provisions of this section shall be overseen and  
21 approved by the Commissioner, or his or her designee, prior to being incurred, unless the  
22 Commissioner specifically provides an exception; provided, under all circumstances the

1 Commissioner shall retain complete control over the expenditures and shall establish  
2 internal procedures and guidelines for the expenditures and the eligibility of anyone to  
3 receive such expenditures.

4 SECTION 2. It being immediately necessary for the preservation of the public  
5 peace, health and safety, an emergency is hereby declared to exist, by reason whereof  
6 this act shall take effect and be in full force from and after its passage and approval.

7 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY,  
8 dated 02-18-08 - DO PASS, As Coauthored.