

**EHB 2695**

**THE STATE SENATE**  
**Monday, April 7, 2008**

**ENGROSSED**

**House Bill No. 2695**

**As Amended**

ENGROSSED HOUSE BILL NO. 2695 - By: Roan of the House and Garrison of the Senate.

[ Department of Public Safety - Commissioner of Public Safety to own, train and use canines for certain purposes - codification - emergency ]

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

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

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

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

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

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

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

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

10          3. To pay from any monies available to the Department for the  
11 construction and repair expenses of a kennel for each canine of the  
12 Department on the private property of the trainer-handler of the  
13 canine.

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

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

4 E. Any expenditure made under the provisions of this section  
5 shall be overseen and approved by the Commissioner, or his or her  
6 designee, prior to being incurred, unless the Commissioner  
7 specifically provides an exception; provided, under all  
8 circumstances the Commissioner shall retain complete control over  
9 the expenditures and shall establish internal procedures and  
10 guidelines for the expenditures and the eligibility of anyone to  
11 receive such expenditures.

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

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-08 - DO  
17 PASS, As Amended.