

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2695

By: Roan

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5
6 AS INTRODUCED

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

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

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

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

20 1. For the Department of Public Safety to acquire, house and
21 train canines to assist in explosives detection, to seek out and
22 discover controlled dangerous substances, to perform drug
23 interdiction, to perform patrol activities, to perform article
24 searches, to provide officer protection, and to engage in tracking
in order to assist in the apprehension and arrest of criminals or

1 those reasonably believed to be criminals or engaged in a criminal
2 activity; and

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

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

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

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

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

16 C. Construction and repair expenses of a kennel shall include,
17 but not be limited to, minor improvements to the real property of
18 the trainer-handler, such as a necessary concrete slab for the
19 kennel floor, kennel water line and spigot, kennel fencing, and
20 shelter, all of which may be affixed to the real property of the
21 trainer-handler. Fixtures to real property approved herein may also
22 include a drainage and septic system for sanitary purposes, but only
23 in the case which is the result of numerous canines, such as those
24 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.

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17 51-2-8870 GRS 12/21/07

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