

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2631

6 By: Johnson

7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2001,  
9 Section 3311.4, as last amended by Section 2, Chapter  
10 143, O.S.L. 2008 (70 O.S. Supp. 2009, Section  
11 3311.4), which relates to continuing law enforcement  
12 training; modifying continuing law enforcement  
13 training requirements; requiring reserve peace  
14 officers to obtain certain amount of continuing law  
15 enforcement training; and providing an effective  
16 date.

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

18 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3311.4, as  
19 last amended by Section 2, Chapter 143, O.S.L. 2008 (70 O.S. Supp.  
20 2009, Section 3311.4), is amended to read as follows:

21 Section 3311.4 A. Beginning January 1, 2008, and annually  
22 thereafter, every active full-time peace officer, certified by the  
23 Council on Law Enforcement Education and Training (CLEET) pursuant  
24 to Section 3311 of this title, shall attend and complete a minimum  
of twenty-five (25) hours of continuing law enforcement training  
accredited or provided by CLEET which shall include a mandatory two

1 (2) hours on mental health issues and a mandatory four (4) hours on  
2 legal issues, concepts and state laws. CLEET shall promulgate rules  
3 to enforce the provisions of this section and shall enter into  
4 contracts and agreements for the payment of classroom space,  
5 training, food, and lodging expenses as may be necessary for law  
6 enforcement officers attending such training in accordance with  
7 subsection B of Section 3311 of this title. Such training and  
8 seminars shall be conducted in all areas of this state at technology  
9 center schools, institutions of higher education, or other approved  
10 sites.

11 B. Every inactive full-time peace officer, certified by CLEET,  
12 shall be exempt from these requirements during the inactive status.  
13 Upon re-entry to full-time active status, the peace officer shall be  
14 required to comply with subsection A of this section. If a  
15 certified peace officer has been inactive for five (5) or more  
16 years, the officer must complete one hundred (100) hours of  
17 refresher training as prescribed by CLEET and which shall include a  
18 minimum of four (4) hours of mental health education and training,  
19 within one (1) year of employment.

20 C. Every tribal officer who is commissioned by an Oklahoma law  
21 enforcement agency pursuant to a cross-deputization agreement with  
22 the State of Oklahoma or any political subdivision of the State of  
23 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of  
24

1 the Oklahoma Statutes shall comply with the provisions of this  
2 section.

3 D. Beginning January 1, 2011, and annually thereafter, every  
4 active part-time reserve peace officer, certified by CLEET pursuant  
5 to Section 3311 of this title, shall attend and complete a minimum  
6 of eight (8) hours of continuing law enforcement training accredited  
7 or provided by CLEET which shall include a mandatory two (2) hours  
8 on mental health issues and a mandatory four (4) hours on legal  
9 issues, concepts and state laws.

10 E. Any active full-time certified peace officer, ~~or~~ CLEET-  
11 certified cross-deputized tribal officer, or any active part-time  
12 certified reserve peace officer who fails to meet the annual  
13 training requirements specified in this section, shall be subject to  
14 having the certification of the peace officer suspended, after the  
15 peace officer and the employer have been given written notice of  
16 noncompliance and a reasonable time, as defined by the Council, to  
17 comply with the provisions of this section. A peace officer shall  
18 not be employed in the capacity of a peace officer during any period  
19 of suspension. The suspension period shall be for a period of time  
20 until the officer files a statement attesting to full compliance  
21 with the provisions of this section. Suspension of peace officer  
22 certification shall be reported to the District Attorney for the  
23 jurisdiction in which the officer is employed, the liability  
24 insurance company of the law enforcement agency that employed the

1 peace officer, the chief elected official of the governing body of  
2 the law enforcement agency and the chief law enforcement officer of  
3 the law enforcement agency. Any officer whose certification is  
4 suspended pursuant to this section may request a hearing with CLEET.  
5 Such hearings shall be governed by the Administrative Procedures Act  
6 except that the affected officer has the burden to show CLEET why  
7 CLEET should not have the certification of the officer suspended.

8 SECTION 2. This act shall become effective November 1, 2010.

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