

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL 2277

By: Carey of the House

and

Gumm of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to counties and county officers;
11 amending 19 O.S. 2001, Section 547, as amended by
12 Section 1, Chapter 366, O.S.L. 2008 (19 O.S. Supp.
13 2009, Section 547), which relates to sheriffs;
14 modifying responsibilities of deputy sheriffs;
15 modifying certain requirement; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 19 O.S. 2001, Section 547, as
19 amended by Section 1, Chapter 366, O.S.L. 2008 (19 O.S. Supp. 2009,
20 Section 547), is amended to read as follows:

21 Section 547. A. The sheriff shall be responsible for the
22 official acts of the undersheriff and deputy sheriffs, and may
23 revoke such appointments at the pleasure of the sheriff; provided,
24 however, for counties with a population of five hundred thousand
(500,000) or more persons, according to the latest Federal Decennial

1 Census, with the exception of chief deputies and undersheriffs, all
2 deputy sheriffs and detention officers shall serve a five-year
3 probationary period during which the deputy sheriff or detention
4 officer shall be considered an at-will employee. After the five-
5 year probationary period, such deputy sheriff or detention officer
6 shall not be discharged except for just cause. The sheriff or the
7 undersheriff may in writing depute certain persons to do particular
8 acts.

9 B. Each sheriff may appoint as many reserve force deputy
10 sheriffs as are necessary to preserve the peace and dignity of the
11 county. A current list of each person holding such appointment
12 shall be maintained by the county sheriff and shall be available to
13 the public. Reserve force deputy sheriffs may perform duties which
14 encompass a particular act or a series of acts. A ~~sheriff or~~
15 ~~salaried~~ CLEET-certified deputy sheriff shall accompany a reserve
16 force deputy sheriff in the performance of all duties assigned to
17 such reserve force deputy sheriff unless such reserve deputy has
18 completed the required ~~one hundred sixty hour~~ two-hundred-forty-hour
19 basic police course. Reserve force deputies may receive
20 compensation for their services. The sheriff may pay reserve force
21 deputies for travel expenses pursuant to the State Travel
22 Reimbursement Act. Such reserve deputy sheriffs shall complete a
23 ~~one hundred sixty hour~~ two-hundred-forty-hour basic police course
24 within twelve (12) months after they have been commissioned to be

1 paid by the county as an individual reserve deputy. The sheriff may
2 pay for additional training courses attended by reserve force
3 deputies.

4 C. 1. For counties with a population of two hundred thousand
5 (200,000) or more persons, according to the latest Federal Decennial
6 Census, reserve force deputy sheriffs with at least ~~one hundred~~
7 ~~sixty (160) hours~~ two hundred forty (240) hours of training pursuant
8 to Section 3311 of Title 70 of the Oklahoma Statutes shall not serve
9 more than one hundred forty (140) hours per calendar month;

10 2. For counties with a population of less than two hundred
11 thousand (200,000) persons, according to the latest Federal
12 Decennial Census, reserve force deputy sheriffs with at least ~~one~~
13 ~~hundred sixty (160) hours~~ two hundred forty (240) hours of training
14 shall not serve more than one hundred ten (110) hours per calendar
15 month.

16 D. The sheriff or a designee may deputize municipal police
17 officers subject to an interlocal governmental agreement to combine
18 city and county law enforcement efforts and to encourage cooperation
19 between city and county law enforcement officials. Liability for
20 the conduct of any municipal police officers deputized under the
21 terms and conditions of an interlocal governmental agreement shall
22 remain the responsibility of their municipal employer.

23 E. The sheriff may enter into mutual aid agreements pursuant to
24 the Interlocal Cooperation Act, Section 1002 et seq. of Title 74 of

1 the Oklahoma Statutes, to assist or provide law enforcement services
2 to any town, city, and county within this state and the sheriff and
3 deputies shall have law enforcement authority within the
4 jurisdiction making the request. The employing governmental unit
5 shall remain responsible for their officers or deputies pursuant to
6 any mutual aid agreement.

7 F. A sheriff of the county may respond to any request from any
8 other jurisdiction within the state for law enforcement assistance
9 in cases of emergency. The sheriff, deputy sheriffs and reserve
10 deputy sheriffs serving in response to the emergency request shall
11 have the same powers and duties as though employed by the requesting
12 law enforcement agency, and when so acting they shall be deemed to
13 be acting within the scope of employment of the requesting law
14 enforcement agency. Salaries, insurance and other benefits shall be
15 provided in the regular manner by the county in which the sheriff,
16 deputy sheriffs and reserve deputy sheriffs are regularly employed.
17 As used in this subsection, "emergency" means a sudden and
18 unforeseeable occurrence or condition, either as to its onset or its
19 extent, of such severity or magnitude that immediate response or
20 action is necessary to assist law enforcement agencies having
21 jurisdiction at the scene of the emergency to carry out their
22 functions.

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1 G. A reserve force deputy sheriff shall be authorized to serve
2 civil process pursuant to Section 2004 of Title 12 of the Oklahoma
3 Statutes.

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

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