

THE HOUSE OF REPRESENTATIVES  
Monday, February 15, 2010

House Bill No. 2277

HOUSE BILL NO. 2277 - By: CAREY of the House and GUMM of the Senate.

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

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

1 SECTION 1. AMENDATORY 19 O.S. 2001, Section 547, as amended by  
2 Section 1, Chapter 366, O.S.L. 2008 (19 O.S. Supp. 2009, Section 547), is amended to  
3 read as follows:  
4 Section 547. A. The sheriff shall be responsible for the official acts of the  
5 undersheriff and deputy sheriffs, and may revoke such appointments at the pleasure of  
6 the sheriff; provided, however, for counties with a population of five hundred thousand  
7 (500,000) or more persons, according to the latest Federal Decennial Census, with the  
8 exception of chief deputies and undersheriffs, all deputy sheriffs and detention officers  
9 shall serve a five-year probationary period during which the deputy sheriff or detention  
10 officer shall be considered an at-will employee. After the five-year probationary period,  
11 such deputy sheriff or detention officer shall not be discharged except for just cause. The  
12 sheriff or the undersheriff may in writing depute certain persons to do particular acts.

1           B. Each sheriff may appoint as many reserve force deputy sheriffs as are necessary  
2 to preserve the peace and dignity of the county. A current list of each person holding  
3 such appointment shall be maintained by the county sheriff and shall be available to the  
4 public. Reserve force deputy sheriffs may perform duties which encompass a particular  
5 act or a series of acts. A ~~sheriff or salaried~~ CLEET-certified deputy sheriff shall  
6 accompany a reserve force deputy sheriff in the performance of all duties assigned to  
7 such reserve force deputy sheriff unless such reserve deputy has completed the required  
8 one-hundred-sixty-hour basic police course. Reserve force deputies may receive  
9 compensation for their services. The sheriff may pay reserve force deputies for travel  
10 expenses pursuant to the State Travel Reimbursement Act. Such reserve deputy sheriffs  
11 shall complete a one-hundred-sixty-hour basic police course within twelve (12) months  
12 after they have been commissioned to be paid by the county as an individual reserve  
13 deputy. The sheriff may pay for additional training courses attended by reserve force  
14 deputies.

15           C. 1. For counties with a population of two hundred thousand (200,000) or more  
16 persons, according to the latest Federal Decennial Census, reserve force deputy sheriffs  
17 with at least one hundred sixty (160) hours of training pursuant to Section 3311 of Title  
18 70 of the Oklahoma Statutes shall not serve more than one hundred forty (140) hours per  
19 calendar month;

20           2. For counties with a population of less than two hundred thousand (200,000)  
21 persons, according to the latest Federal Decennial Census, reserve force deputy sheriffs

1 with at least one hundred sixty (160) hours of training shall not serve more than one  
2 hundred ten (110) hours per calendar month.

3 D. The sheriff or a designee may deputize municipal police officers subject to an  
4 interlocal governmental agreement to combine city and county law enforcement efforts  
5 and to encourage cooperation between city and county law enforcement officials.  
6 Liability for the conduct of any municipal police officers deputized under the terms and  
7 conditions of an interlocal governmental agreement shall remain the responsibility of  
8 their municipal employer.

9 E. The sheriff may enter into mutual aid agreements pursuant to the Interlocal  
10 Cooperation Act, Section 1002 et seq. of Title 74 of the Oklahoma Statutes, to assist or  
11 provide law enforcement services to any town, city, and county within this state and the  
12 sheriff and deputies shall have law enforcement authority within the jurisdiction making  
13 the request. The employing governmental unit shall remain responsible for their officers  
14 or deputies pursuant to any mutual aid agreement.

15 F. A sheriff of the county may respond to any request from any other jurisdiction  
16 within the state for law enforcement assistance in cases of emergency. The sheriff,  
17 deputy sheriffs and reserve deputy sheriffs serving in response to the emergency request  
18 shall have the same powers and duties as though employed by the requesting law  
19 enforcement agency, and when so acting they shall be deemed to be acting within the  
20 scope of employment of the requesting law enforcement agency. Salaries, insurance and  
21 other benefits shall be provided in the regular manner by the county in which the sheriff,  
22 deputy sheriffs and reserve deputy sheriffs are regularly employed. As used in this

1 subsection, “emergency” means a sudden and unforeseeable occurrence or condition,  
2 either as to its onset or its extent, of such severity or magnitude that immediate response  
3 or action is necessary to assist law enforcement agencies having jurisdiction at the scene  
4 of the emergency to carry out their functions.

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

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

8 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02-11-10 - DO  
9 PASS, As Coauthored.