

THE HOUSE OF REPRESENTATIVES
Monday, February 8, 2010

Committee Substitute for
House Bill No. 2631

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2631 - By: JOHNSON of the House.

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

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3311.4, as last amended by
2 Section 2, Chapter 143, O.S.L. 2008 (70 O.S. Supp. 2009, Section 3311.4), is amended to
3 read as follows:
4 Section 3311.4 A. Beginning January 1, 2008, and annually thereafter, every
5 active full-time peace officer, certified by the Council on Law Enforcement Education and
6 Training (CLEET) pursuant to Section 3311 of this title, shall attend and complete a
7 minimum of twenty-five (25) hours of continuing law enforcement training accredited or
8 provided by CLEET which shall include a mandatory two (2) hours on mental health
9 issues and a mandatory four (4) hours on legal issues, concepts and state laws. CLEET
10 shall promulgate rules to enforce the provisions of this section and shall enter into

1 contracts and agreements for the payment of classroom space, training, food, and lodging
2 expenses as may be necessary for law enforcement officers attending such training in
3 accordance with subsection B of Section 3311 of this title. Such training and seminars
4 shall be conducted in all areas of this state at technology center schools, institutions of
5 higher education, or other approved sites.

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

13 C. Every tribal officer who is commissioned by an Oklahoma law enforcement
14 agency pursuant to a cross-deputization agreement with the State of Oklahoma or any
15 political subdivision of the State of Oklahoma pursuant to the provisions of Section 1221
16 of Title 74 of the Oklahoma Statutes shall comply with the provisions of this section.

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

UNDERLINED language denotes Amendments to present Statutes.
BOLD FACE CAPITALIZED language denotes Committee Amendments.
~~Strike thru~~ language denotes deletion from present Statutes.

1 E. Any active full-time certified peace officer, ~~or~~ CLEET-certified cross-deputized
2 tribal officer, or any active part-time certified reserve peace officer who fails to meet the
3 annual training requirements specified in this section, shall be subject to having the
4 certification of the peace officer suspended, after the peace officer and the employer have
5 been given written notice of noncompliance and a reasonable time, as defined by the
6 Council, to comply with the provisions of this section. A peace officer shall not be
7 employed in the capacity of a peace officer during any period of suspension. The
8 suspension period shall be for a period of time until the officer files a statement attesting
9 to full compliance with the provisions of this section. Suspension of peace officer
10 certification shall be reported to the District Attorney for the jurisdiction in which the
11 officer is employed, the liability insurance company of the law enforcement agency that
12 employed the peace officer, the chief elected official of the governing body of the law
13 enforcement agency and the chief law enforcement officer of the law enforcement agency.
14 Any officer whose certification is suspended pursuant to this section may request a
15 hearing with CLEET. Such hearings shall be governed by the Administrative Procedures
16 Act except that the affected officer has the burden to show CLEET why CLEET should
17 not have the certification of the officer suspended.

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

19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02-04-10 - DO
20 PASS, As Amended.