

THE STATE SENATE
Tuesday, March 23, 2010

Committee Substitute for
ENGROSSED

House Bill No. 2277

COMMITTEE SUBSTITUTE FOR ENGROSSED 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; modifying certain requirement; and providing an
effective date.

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

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

Section 547. A. The sheriff shall be responsible for the
official acts of the undersheriff and deputy sheriffs, and may
revoke such appointments at the pleasure of the sheriff; provided,
however, for counties with a population of five hundred thousand
(500,000) or more persons, according to the latest Federal Decennial
Census, with the exception of chief deputies and undersheriffs, all
deputy sheriffs and detention officers shall serve a five-year
probationary period during which the deputy sheriff or detention
officer shall be considered an at-will employee. After the five-

1 year probationary period, such deputy sheriff or detention officer
2 shall not be discharged except for just cause. The sheriff or the
3 undersheriff may in writing depute certain persons to do particular
4 acts.

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

1 C. 1. For counties with a population of two hundred thousand
2 (200,000) or more persons, according to the latest Federal Decennial
3 Census, reserve force deputy sheriffs with at least ~~one hundred~~
4 ~~sixty (160) hours~~ two hundred forty (240) hours of training pursuant
5 to Section 3311 of Title 70 of the Oklahoma Statutes shall not serve
6 more than one hundred forty (140) hours per calendar month;

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

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

20 E. The sheriff may enter into mutual aid agreements pursuant to
21 the Interlocal Cooperation Act, Section 1002 et seq. of Title 74 of
22 the Oklahoma Statutes, to assist or provide law enforcement services
23 to any town, city, and county within this state and the sheriff and

1 deputies shall have law enforcement authority within the
2 jurisdiction making the request. The employing governmental unit
3 shall remain responsible for their officers or deputies pursuant to
4 any mutual aid agreement.

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

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

1 SECTION 2. This act shall become effective November 1, 2010.
2 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 3-22-10
3 - DO PASS, As Amended.