

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2277

By: Carey

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5  
6 AS INTRODUCED

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

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

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

17 Section 547. A. The sheriff shall be responsible for the  
18 official acts of the undersheriff and deputy sheriffs, and may  
19 revoke such appointments at the pleasure of the sheriff; provided,  
20 however, for counties with a population of five hundred thousand  
21 (500,000) or more persons, according to the latest Federal Decennial  
22 Census, with the exception of chief deputies and undersheriffs, all  
23 deputy sheriffs and detention officers shall serve a five-year  
24 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 ~~salaried~~ 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 basic police course.  
15 Reserve force deputies may receive compensation for their services.  
16 The sheriff may pay reserve force deputies for travel expenses  
17 pursuant to the State Travel Reimbursement Act. Such reserve deputy  
18 sheriffs shall complete a one-hundred-sixty-hour basic police course  
19 within twelve (12) months after they have been commissioned to be  
20 paid by the county as an individual reserve deputy. The sheriff may  
21 pay for additional training courses attended by reserve force  
22 deputies.

23 C. 1. For counties with a population of two hundred thousand  
24 (200,000) or more persons, according to the latest Federal Decennial

1 Census, reserve force deputy sheriffs with at least one hundred  
2 sixty (160) hours of training pursuant to Section 3311 of Title 70  
3 of the Oklahoma Statutes shall not serve more than one hundred forty  
4 (140) hours per calendar month;

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

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

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

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

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

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

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22 52-2-8646 LRB 12/14/09

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