HOUSE OF REPRESENTATIVES - FLOOR VERSION

STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

ENGROSSED SENATE
BILL NO. 1188 By: Paddack of the Senate

and

Thomsen of the House

An Act relating to the Council on Law Enforcement Education and Training; amending 70 O.S. 2011, Section 3311.4, which relates to continuing law enforcement training; requiring certain officers to complete certain legal update; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311.4, is amended to read as follows:

Section 3311.4. A. Beginning January 1, 2008, and annually thereafter, every active full-time peace officer, certified by the Council on Law Enforcement Education and Training (CLEET) pursuant to Section 3311 of this title, shall attend and complete a minimum of twenty-five (25) hours of continuing law enforcement training accredited or provided by CLEET which shall include a mandatory two (2) hours on mental health issues. CLEET shall promulgate rules to

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

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

C. Every tribal officer who is commissioned by an Oklahoma law enforcement agency pursuant to a cross-deputization agreement with the State of Oklahoma or any political subdivision of the State of Oklahoma pursuant to the provisions of Section 1221 of Title 74 of

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the Oklahoma Statutes shall comply with the provisions of this section.

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

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SECTION 2. This act shall become effective November 1, 2012.

COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated 04/05/2012 - DO PASS.

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