

1 **SENATE FLOOR VERSION**

2 March 1, 2011

3 SENATE BILL NO. 162

By: Justice of the Senate

4 and

5 Nelson of the House

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8 An Act relating to county officers; amending 19 O.S.
9 2001, Sections 215.29, as amended by Section 1,
10 Chapter 77, O.S.L. 2010, and 215.35A (19 O.S. Supp.
11 2010, Section 215.29), which relate to district
12 attorneys; expanding authorization to carry firearm;
13 authorizing certain persons to retain firearm and
14 badge upon retirement; and providing an effective
15 date.

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

17 SECTION 1. AMENDATORY 19 O.S. 2001, Section 215.29, as
18 amended by Section 1, Chapter 77, O.S.L. 2010 (19 O.S. Supp. 2010,
19 Section 215.29), is amended to read as follows:

20 Section 215.29. A. A district attorney, or retired district
21 attorney who receives a statement from the appropriate retirement
22 system verifying the status of the person as a retired district
23 attorney, may carry a firearm on his or her person anywhere in the
24 state to use only for personal protection if the person has
successfully completed an approved course of firearm training
conducted by a state-certified firearms instructor which meets the

1 minimum requirements for firearms training as set forth by the
2 Council on Law Enforcement Education and Training.

3 B. At the discretion of the district attorney, the district
4 attorney may allow an assistant district attorney to carry a firearm
5 on his or her person anywhere in the state to use only for personal
6 protection if the person has successfully completed an approved
7 course of firearm training conducted by a state-certified firearms
8 instructor which meets the minimum requirements for firearms
9 training as set forth by the Council on Law Enforcement Education
10 and Training.

11 SECTION 2. AMENDATORY 19 O.S. 2001, Section 215.35A, is
12 amended to read as follows:

13 Section 215.35A A. District attorney investigators serve under
14 the direction of the district attorney, and shall perform such
15 services as are necessary in the investigation of criminal activity
16 or preparation of civil litigation within the district.

17 B. If the district attorney's investigator is certified as a
18 peace officer by the Council on Law Enforcement Education and
19 Training the investigator shall be considered a peace officer and
20 shall have the powers now or hereafter vested by law in peace
21 officers.

22 C. While in the performance of official duties as an
23 investigator for the district attorney, an investigator who has been
24 certified as a peace officer by the Council on Law Enforcement

1 Education and Training shall have jurisdiction in any portion of the
2 state.

3 D. Any district attorney's investigator certified as a peace
4 officer by the Council on Law Enforcement Education and Training may
5 at the discretion of the district attorney be entitled to receive at
6 the time of retirement, by reason of length of service, the
7 continued custody, possession and ownership of the sidearm and badge
8 carried by the investigator immediately prior to retirement.

9 SECTION 3. This act shall become effective November 1, 2011.

10 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 2-24-11 - DO
11 PASS, As Coauthored.

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