

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 187

By: Coates

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5  
6 AS INTRODUCED

7 An Act relating to sheriffs; amending 19 O.S. 2001,  
8 Section 547, as last amended by Section 1, Chapter  
9 125, O.S.L. 2010 (19 O.S. Supp. 2010, Section 547),  
10 which relates to deputy sheriffs and reserve force  
11 deputy sheriffs; authorizing the sheriff to perform  
12 certain duties; and 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 last  
15 amended by Section 1, Chapter 125, O.S.L. 2010 (19 O.S. Supp. 2010,  
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~~ The sheriff or a  
11 CLEET-certified deputy sheriff shall accompany a reserve force  
12 deputy sheriff in the performance of all duties assigned to such  
13 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. Reserve force deputy sheriffs with at least one hundred  
24 sixty (160) hours of training pursuant to Section 3311 of Title 70

1 of the Oklahoma Statutes shall not serve more than one hundred forty  
2 (140) hours per calendar month.

3 D. The sheriff or a designee may deputize municipal police  
4 officers subject to an interlocal governmental agreement to combine  
5 city and county law enforcement efforts and to encourage cooperation  
6 between city and county law enforcement officials. Liability for  
7 the conduct of any municipal police officers deputized under the  
8 terms and conditions of an interlocal governmental agreement shall  
9 remain the responsibility of their municipal employer.

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

18 F. A sheriff of the county may respond to any request from any  
19 other jurisdiction within the state for law enforcement assistance  
20 in cases of emergency. The sheriff, deputy sheriffs and reserve  
21 deputy sheriffs serving in response to the emergency request shall  
22 have the same powers and duties as though employed by the requesting  
23 law enforcement agency, and when so acting they shall be deemed to  
24 be acting within the scope of employment of the requesting law

1 enforcement agency. Salaries, insurance and other benefits shall be  
2 provided in the regular manner by the county in which the sheriff,  
3 deputy sheriffs and reserve deputy sheriffs are regularly employed.  
4 As used in this subsection, "emergency" means a sudden and  
5 unforeseeable occurrence or condition, either as to its onset or its  
6 extent, of such severity or magnitude that immediate response or  
7 action is necessary to assist law enforcement agencies having  
8 jurisdiction at the scene of the emergency to carry out their  
9 functions.

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

13 SECTION 2. This act shall become effective November 1, 2011.

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