

ENROLLED SENATE
BILL NO. 162

By: Justice of the Senate

and

Nelson of the House

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

SUBJECT: Firearm possession

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

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

Section 215.29. A. A district attorney, or retired district attorney who receives a statement from the appropriate retirement system verifying the status of the person as a retired district attorney, may carry a firearm on his or her person anywhere in the 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 minimum requirements for firearms training as set forth by the Council on Law Enforcement Education and Training.

B. At the discretion of the district attorney, the district attorney may allow an assistant district attorney to carry a firearm

on his or her person anywhere in the 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 minimum requirements for firearms training as set forth by the Council on Law Enforcement Education and Training.

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

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

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

C. While in the performance of official duties as an investigator for the district attorney, an investigator who has been certified as a peace officer by the Council on Law Enforcement Education and Training shall have jurisdiction in any portion of the state.

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

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

Passed the Senate the 10th day of March, 2011.

Presiding Officer of the Senate

Passed the House of Representatives the 5th day of April, 2011.

Presiding Officer of the House
of Representatives