

STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED

SENATE BILL 408

By: Paddack and Shortey of the
Senate

and

Thomsen, Ritze, Roberts
(Sean), McCullough and
Bennett of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the Council on Law Enforcement and Education and Training (CLEET); amending 70 O.S. 2011, Section 3311.4, as amended by Section 1, Chapter 85, O.S.L. 2012 (70 O.S. Supp. 2012, Section 3311.4), which relates to certain law enforcement training; modifying training requirements for certain inactive officers; authorizing the Director of CLEET to waive certain requirements under certain circumstances; authorizing certain persons to carry a firearm under certain circumstances; providing for codification; 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, as amended by Section 1, Chapter 85, O.S.L. 2012 (70 O.S. Supp. 2012, 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

1 Council on Law Enforcement Education and Training (CLEET) pursuant
2 to Section 3311 of this title, shall attend and complete a minimum
3 of twenty-five (25) hours of continuing law enforcement training
4 accredited or provided by CLEET which shall include a mandatory two
5 (2) hours on mental health issues. CLEET shall promulgate rules to
6 enforce the provisions of this section and shall enter into
7 contracts and agreements for the payment of classroom space,
8 training, food, and lodging expenses as may be necessary for law
9 enforcement officers attending such training in accordance with
10 subsection B of Section 3311 of this title. Such training and
11 seminars shall be conducted in all areas of this state at technology
12 center schools, institutions of higher education, or other approved
13 sites.

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

1 Director of CLEET may waive these requirements based on review of
2 all records of employment and training.

3 C. Every tribal officer who is commissioned by an Oklahoma law
4 enforcement agency pursuant to a cross-deputization agreement with
5 the State of Oklahoma or any political subdivision of the State of
6 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of
7 the Oklahoma Statutes shall comply with the provisions of this
8 section.

9 D. Any active full-time certified peace officer, or CLEET-
10 certified cross-deputized tribal officer who fails to meet the
11 annual training requirements specified in this section, shall be
12 subject to having the certification of the peace officer suspended,
13 after the peace officer and the employer have been given written
14 notice of noncompliance and a reasonable time, as defined by the
15 Council, to comply with the provisions of this section. A peace
16 officer shall not be employed in the capacity of a peace officer
17 during any period of suspension. The suspension period shall be for
18 a period of time until the officer files a statement attesting to
19 full compliance with the provisions of this section. Suspension of
20 peace officer certification shall be reported to the District
21 Attorney for the jurisdiction in which the officer is employed, the
22 liability insurance company of the law enforcement agency that
23 employed the peace officer, the chief elected official of the
24 governing body of the law enforcement agency and the chief law

1 enforcement officer of the law enforcement agency. Any officer
2 whose certification is suspended pursuant to this section may
3 request a hearing with CLEET. Such hearings shall be governed by
4 the Administrative Procedures Act except that the affected officer
5 has the burden to show CLEET why CLEET should not have the
6 certification of the officer suspended.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 3311.14 of Title 70, unless
9 there is created a duplication in numbering, reads as follows:

10 Upon completion of an approved course of firearm training
11 conducted by a certified firearms instructor which is equal to the
12 minimum requirements for firearms training as set forth by the
13 Council on Law Enforcement Education and Training, the Attorney
14 General and any assistant attorney general may carry a firearm on
15 his or her person anywhere in this state for personal protection
16 only.

17 SECTION 3. This act shall become effective November 1, 2013.
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