

1 ENGROSSED SENATE
2 BILL NO. 408

By: Paddack and Shortey of the
Senate

3 and

4 Thomsen of the House
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7 An Act relating to the Council on Law Enforcement and
8 Education and Training (CLEET); amending 70 O.S.
9 2011, Section 3311.4, as amended by Section 1,
10 Chapter 85, O.S.L. 2012 (70 O.S. Supp. 2012, Section
11 3311.4), which relates to certain law enforcement
12 training; modifying training requirements for certain
13 inactive officers; authorizing the Director of CLEET
14 to waive certain requirements under certain
15 circumstances; and providing an effective date.

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

17 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311.4, as
18 amended by Section 1, Chapter 85, O.S.L. 2012 (70 O.S. Supp. 2012,
19 Section 3311.4), is amended to read as follows:

20 Section 3311.4. A. Beginning January 1, 2008, and annually
21 thereafter, every active full-time peace officer, certified by the
22 Council on Law Enforcement Education and Training (CLEET) pursuant
23 to Section 3311 of this title, shall attend and complete a minimum
24 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

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

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

22 C. Every tribal officer who is commissioned by an Oklahoma law
23 enforcement agency pursuant to a cross-deputization agreement with
24 the State of Oklahoma or any political subdivision of the State of

1 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of
2 the Oklahoma Statutes shall comply with the provisions of this
3 section.

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

3 SECTION 2. This act shall become effective November 1, 2013.

4 Passed the Senate the 5th day of March, 2013.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,
9 2013.

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Presiding Officer of the House
of Representatives

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