

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 54th Legislature (2013)

4 ENGROSSED SENATE
5 BILL NO. 408

 By: Paddack and Shortey of the
 Senate

6 and

7 Thomsen and Ritze of the
8 House

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

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

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

24 Section 3311.4. A. Beginning January 1, 2008, and annually
 thereafter, every active full-time peace officer, certified by the
 Council on Law Enforcement Education and Training (CLEET) pursuant

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

13 B. Every inactive full-time peace officer, certified by CLEET,
14 shall be exempt from these requirements during the inactive status.
15 Upon ~~re-entry~~ reentry to full-time active status, the peace officer
16 shall be required to comply with subsection A of this section. If a
17 full-time certified peace officer has been inactive for five (5) or
18 more years, the officer must complete ~~one hundred (100) hours of~~
19 refresher training as prescribed by CLEET and which shall include a
20 minimum of four (4) hours of mental health education and training,
21 within one (1) year of employment. If a certified reserve officer
22 has been inactive for five (5) or more years, the certified reserve
23 officer shall complete a legal update as prescribed by CLEET. The
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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. This act shall become effective November 1, 2013.

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9 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 03/27/2013 -
10 DO PASS, As Coauthored.

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