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February 20, 2014

AS AMENDED

SENATE BILL NO. 1393

By: Paddack of the Senate

and

Thomsen of the House

[Council on Law Enforcement Education and Training -
failure to meet certain training requirements -
effective date]

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3311.4, as last amended by Section 1, Chapter 315, O.S.L. 2013 (70 O.S. Supp. 2013, 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 Council on Law Enforcement Education and Training (CLEET) pursuant to Section 3311 of this title, shall attend and complete a minimum 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 enforce the provisions of this section and shall enter into contracts and agreements for the payment of classroom space,

1 training, food, and lodging expenses as may be necessary for law
2 enforcement officers attending such training in accordance with
3 subsection B of Section 3311 of this title. Such training and
4 seminars shall be conducted in all areas of this state at technology
5 center schools, institutions of higher education, or other approved
6 sites.

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

20 C. Every tribal officer who is commissioned by an Oklahoma law
21 enforcement agency pursuant to a cross-deputization agreement with
22 the State of Oklahoma or any political subdivision of the State of
23 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of
24

1 the Oklahoma Statutes shall comply with the provisions of this
2 section.

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

SECTION 2. This act shall become effective November 1, 2014.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 20, 2014 - DO PASS AS AMENDED