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February 21, 2013

SENATE BILL NO. 408

By: Paddack of the Senate

and

Thomsen of the House

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; 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 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

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

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

23 C. Every tribal officer who is commissioned by an Oklahoma law
24 enforcement agency pursuant to a cross-deputization agreement with

1 the State of Oklahoma or any political subdivision of the State of
2 Oklahoma pursuant to the provisions of Section 1221 of Title 74 of
3 the Oklahoma Statutes shall comply with the provisions of this
4 section.

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

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 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
5 February 21, 2013 - DO PASS
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