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February 23, 2017

By: Brecheen

An Act relating to campus security; amending 74 O.S. 2011, Sections 360.16, as amended by Section 2, Chapter 48, O.S.L. 2012 and 360.18, as amended by Section 4, Chapter 48, O.S.L. 2012, (74 O.S. Supp. 2016, Sections 360.16 and 360.18), which relate to the Oklahoma Campus Security Act; modifying definitions; modifying inclusions; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 360.16, as amended by Section 2, Chapter 48, O.S.L. 2012 (74 O.S. Supp. 2016, Section 360.16), is amended to read as follows:

Section 360.16. As used in the Oklahoma Campus Security Act:

1. "Campus" means the real property, buildings and other improvements within this state owned, leased or rented by an institution of higher education, a public school district, a private school or an airport public trust, as defined in this section;

2. "Campus police officer" means an individual holding a commission from and employed by an institution of higher education, a public school district, a private school or an airport public trust pursuant to the Oklahoma Campus Security Act, who may also be

1 known as a "campus public safety officer", an "airport officer", an
2 "airport police officer" or an "airport security officer";

3 3. "Commission" means a certificate of appointment by the
4 governing board of an institution of higher education or of a
5 private school or a board of education of a public school district
6 of an individual certified as a full-time police or peace officer
7 pursuant to Section 3311 of Title 70 of the Oklahoma Statutes;

8 4. "Governing board" means the board of regents or trustees
9 which determines management policy and has responsibility for the
10 general government of an institution of higher education or of a
11 private school or the board of education of a public school
12 district;

13 5. "Institution of higher education" means a college,
14 university, higher educational center, or other constituent agency
15 of The Oklahoma State System of Higher Education or a private
16 college or university in this state whose accreditation is
17 recognized by the Oklahoma State Regents for Higher Education
18 pursuant to Section 4103 of Title 70 of the Oklahoma Statutes;

19 6. "Public school district" means all free schools supported by
20 public taxation and shall include K-12 schools and technology center
21 schools; ~~and~~

22 7. "Airport public trust" means a public trust created under
23 the laws of this state which operates an airport and whose
24 beneficiary is an Oklahoma municipality or a combination of one or

1 more Oklahoma municipalities and/or one or more Oklahoma counties;
2 and

3 8. "Private school" means a school that offers a course of
4 instruction for students in one or more grades from prekindergarten
5 through grade twelve and is not operated by a governmental entity.

6 SECTION 2. AMENDATORY 74 O.S. 2011, Section 360.18, as
7 amended by Section 4, Chapter 48, O.S.L. 2012 (74 O.S. Supp. 2016,
8 Section 360.18), is amended to read as follows:

9 Section 360.18. A. Governing boards of institutions of higher
10 education or private schools, boards of education of public school
11 districts and airport public trusts are authorized to establish
12 campus police departments pursuant to the provisions of the Oklahoma
13 Campus Security Act. In the case of airport public trusts operating
14 more than one airport, the board of trustees of such airport public
15 trust is authorized to establish campus police departments at any
16 airport it operates, but is not required to establish campus police
17 departments at all airports operated by such airport public trust.
18 These boards may employ and commission campus police officers and
19 may designate uniforms, badges and insignia to be worn by such
20 officers and displayed on vehicles or other equipment of the
21 department. Campus police departments shall use the following words
22 or phrases, alone or in any combination, in conjunction with the
23 uniform, badges, insignia or on vehicles utilized by these
24 departments: university police, university public safety department,

1 campus police department, campus police officer, campus public
2 safety department, campus public safety officer, airport officer,
3 airport police officer, airport security officer, airport public
4 safety officer or any standardized title such as director, chief,
5 major, captain, lieutenant, sergeant, or corporal. Upon
6 appointment, each such officer shall be given a written commission,
7 with a photo identification, evidencing the officer's appointment
8 and authority. The form of this commission shall be prescribed by
9 the governing boards specified in Section 360.15 et seq. of this
10 title. Persons employed by a governing board which has established
11 a campus police department but who are not campus police officers
12 shall not be permitted to wear uniforms, badges or insignia
13 specified in this subsection or receive commissions or photo
14 identification of the type provided campus police officers.

15 B. The commission of a campus police officer may be suspended
16 or revoked by the governing board for any reason. Such commission
17 also may be suspended or revoked by the district attorney in whose
18 district the officer is employed for cause related to the campus
19 police officer's ability to exercise the powers of such commission
20 in the interest of public security or suspended or revoked by the
21 district attorney upon conviction of the campus police officer for
22 larceny, theft, embezzlement, false pretense, fraud, any
23 nonconsensual sex offense, any offense involving a minor as a
24 victim, any offense involving the possession, use, distribution or

1 sale of a controlled dangerous substance, or any offense involving a
2 firearm. The commission of a campus police officer convicted of a
3 felony or of a crime involving moral turpitude shall be revoked by
4 the district attorney upon conviction. The commission of a campus
5 police officer no longer employed by the governing board, except an
6 officer who is retiring, shall be relinquished to the board, or its
7 representative, at the time of cessation of ~~said~~ the employment.
8 When a commission is revoked or relinquished, the campus police
9 department shall take possession of all campus police officer
10 insignia, badges, identification cards and weapons issued to the
11 officer. A person who fails to relinquish ~~said~~ the insignia,
12 badges, identification cards or weapons, upon conviction, shall be
13 deemed guilty of a misdemeanor and shall be punished by the
14 imposition of a fine of not more than One Thousand Dollars
15 (\$1,000.00) or by imprisonment in the county jail for not to exceed
16 one (1) year, or by both such fine and imprisonment.

17 C. Governing boards shall notify the Council on Law Enforcement
18 Education and Training (CLEET) when an officer is commissioned or a
19 commission is relinquished or revoked. The governing boards shall
20 provide CLEET with all information regarding commissioned officers
21 requested by CLEET.

22 D. A campus police officer employed pursuant to the Oklahoma
23 Campus Security Act shall not be able to participate in either the
24

1 Oklahoma Police Pension and Retirement System or the Oklahoma Law
2 Enforcement Retirement System, unless otherwise entitled to by law.

3 SECTION 3. This act shall become effective November 1, 2017.

4 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
5 February 23, 2017 - DO PASS
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