

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 16, 2017

SENATE BILL NO. 88

By: McCortney of the Senate

and

Thomsen of the House

An Act relating to law enforcement training; amending 70 O.S. 2011, Section 3311.4, as last amended by Section 2, Chapter 376, O.S.L. 2016 (70 O.S. Supp. 2016, Section 3311.4), which relates to training requirements; modifying inclusions; making certain stipulations; 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 last amended by Section 2, Chapter 376, O.S.L. 2016 (70 O.S. Supp. 2016, 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, training, food, and lodging expenses as may be necessary for law

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

6 B. Beginning January 1, 2017, and annually thereafter, every
7 active reserve peace officer, certified by CLEET pursuant to Section
8 3311 of this title, shall attend and complete a minimum of eight (8)
9 hours of continuing law enforcement training accredited or provided
10 by CLEET which shall include a mandatory one (1) hour on mental
11 health issues.

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

1 waive these requirements based on review of all records of
2 employment and training.

3 D. 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 E. Any active full-time or reserve certified peace officer, or
10 CLEET-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 F. All certified, active full-time or reserve peace officers
8 employed, commissioned or appointed for a period of ninety (90) days
9 in a calendar year, who become inactive prior to the end of a
10 calendar year, are responsible for meeting mandatory continuing
11 education requirements as set forth in this section upon return to
12 active full-time or reserve peace officer status within sixty (60)
13 days of the date of return to employment, commission or appointment.
14 Failure to complete the mandatory continuing education within sixty
15 (60) days may result in disciplinary action as set forth in CLEET
16 Rules at OAC 390:2. Full-time or reserve certified peace officers
17 who return to active status within the calendar year they become
18 inactive must complete the annual mandatory continuing education
19 requirements outlined in this section within the remaining portion
20 of the calendar year.

21 SECTION 2. This act shall become effective November 1, 2017.

22 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
23 February 16, 2017 - DO PASS
24