

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

SENATE BILL 1026

By: Paxton

AS INTRODUCED

An Act relating to the Oklahoma State Bureau of Investigation; amending 74 O.S. 2011, Section 150.7, as amended by Section 1, Chapter 136, O.S.L. 2015 (74 O.S. Supp. 2017, Section 150.7), which relates to the director's powers and duties; authorizing certain agreements; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2011, Section 150.7, as amended by Section 1, Chapter 136, O.S.L. 2015 (74 O.S. Supp. 2017, Section 150.7), is amended to read as follows:

Section 150.7. The Director of the Oklahoma State Bureau of Investigation shall have the following powers, duties and responsibilities:

1. To appoint or dismiss a Deputy Director who shall have the same qualifications as the Director;

2. To supervise the maintaining of all reports and records of the Bureau and to promulgate administrative rules concerning the destruction and retention of such records. Such records shall not be transferred to the custody or control of the Archives and Records

Commission or be subject to the provisions of Section 590 of Title 21 of the Oklahoma Statutes. The Director may, pursuant to adopted and promulgated administrative rule, order destruction of records deemed to be no longer of value to the Bureau, excluding criminalistic and investigative records which shall forever be kept and maintained;

3. To report to the Commission at each regular meeting, or as directed by the Commission, the current workload of the Bureau. Such reports shall be submitted by category of the persons or entities authorized to initiate investigations as provided for in subsection A of Section 150.5 of this title, and any other category the Commission may request which does not violate the confidentiality restrictions imposed in Sections 150.1 through 152.9 of this title. Such reports shall contain the following information:

- a. what types of investigations are pending,
- b. what new types of investigations have been opened,
- c. what types of investigations have been closed, and
- d. what criminal charges have been filed as a result of Bureau investigations.

The reports shall not contain any information on the individual subjects of the investigation or persons questioned in connection with an investigation. These reports shall be open for public inspection;

1 4. To designate positions, appoint employees and fix salaries
2 of the Bureau, other than the salaries established by subsection A
3 of Section 150.6a of this title, and to authorize the payment of
4 necessary certification expenses for the employees;

5 5. To authorize the purchase and issuance of uniforms for all
6 law enforcement officers, criminalists, and other personnel of the
7 Bureau as designated by the Director and to purchase and issue
8 necessary equipment for all employees of the Bureau. All uniforms
9 and equipment shall be used only in the performance of the official
10 duties of the officers, criminalists or other personnel and shall
11 remain the property of the Bureau except as otherwise provided by
12 law; ~~and~~

13 6. To enter into local cooperative agreements with local law
14 enforcement agencies for the purpose of appointing affiliate task
15 force agents to assist the Bureau in the investigation of major
16 crimes under the jurisdiction of the Bureau. Affiliate task force
17 agents shall be employees and commissioned law enforcement officers
18 of the local law enforcement agency entering into agreement with the
19 Bureau and shall not be employees of the Bureau. Affiliate task
20 force agents shall have general peace officer powers and the
21 authority to arrest persons throughout the state while serving as an
22 affiliate task force agent. Affiliate task force agents serve
23 solely at the discretion and will of the Director. The Director may
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1 renew, suspend, or revoke any agreement appointing an affiliate task
2 force agent at any time; and

3 7. To enter into cross deputization agreements with any
4 federally recognized Indian Tribe or branch of the federal
5 government.

6 SECTION 2. This act shall become effective November 1, 2018.

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