

1 ENGROSSED HOUSE
2 BILL NO. 3884

By: Burns, Boles, Manger and
McDugle of the House

3 and

4 Hall of the Senate
5
6

7 An Act relating to counties and county officers;
8 amending 19 O.S. 2011, Sections 130.1, as last
9 amended by Section 1, Chapter 191, O.S.L. 2019 and
10 130.7, as amended by Section 1, Chapter 103, O.S.L.
11 2015 (19 O.S. Supp. 2019, Sections 130.1 and 130.7),
12 which relate to county government personnel education
13 and training; extending creation of Commission on
14 County Government Personnel Education and Training;
15 requiring certain hours of training for county
16 officers; requiring certain training for county
17 officers elected after certain date; requiring
18 certain training for current county officers;
19 requiring certain continuing education; requiring
20 training for county deputies; amending 19 O.S. 2011,
21 Section 166, which relates to forfeiture of travel
22 allowance; providing for forfeiture of monthly travel
23 allowance for failure to complete training
24 requirements; requiring written notification;
providing an effective date; and declaring an
emergency.

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

20 SECTION 1. AMENDATORY 19 O.S. 2011, Section 130.1, as
21 last amended by Section 1, Chapter 191, O.S.L. 2019 (19 O.S. Supp.
22 2019, Section 130.1), is amended to read as follows:

23 Section 130.1 There is hereby re-created, to continue until
24 July 1, ~~2020~~ 2021, in accordance with the provisions of the Oklahoma

1 Sunset Law, the Commission on County Government Personnel Education
2 and Training, hereinafter called the "Commission". The Commission
3 shall be composed of the following five (5) members: The President
4 of Oklahoma State University or designee; the State Auditor and
5 Inspector or designee; the Director of the Department of
6 Transportation or designee; the Chairman of the Oklahoma Tax
7 Commission or designee; and the President of the Oklahoma County
8 Officers Association or designee.

9 SECTION 2. AMENDATORY 19 O.S. 2011, Section 130.7, as
10 amended by Section 1, Chapter 103, O.S.L. 2015 (19 O.S. Supp. 2019,
11 Section 130.7), is amended to read as follows:

12 Section 130.7 A. Each county commissioner, county clerk,
13 county treasurer, and court clerk ~~holding office on May 11, 1982~~
14 elected or appointed after November 1, 2020, and those elected
15 ~~thereafter and the deputies of such elected county officers~~ shall be
16 ~~required to participate in the appropriate training programs, as~~
17 ~~defined in subsection B of this section, and educational seminars~~
18 ~~relevant to their positions and duties conducted pursuant to~~
19 ~~Sections 130.1 through 130.7 of this title. In addition, county~~
20 ~~sheriffs and county assessors may attend the training programs~~
21 specified in this section, within ninety (90) days after the general
22 election of his or her first term of office, to attend and complete
23 the orientation training provided through or approved by the County
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1 Training Program of the Cooperative Extension Service at Oklahoma
2 State University.

3 B. ~~Appropriate training programs shall include those programs~~
4 ~~provided by the Cooperative Extension Service at Oklahoma State~~
5 ~~University~~ 1. Each county commissioner, county clerk and county
6 treasurer elected or appointed after November 1, 2020, shall be
7 required to obtain a Basic Certification by the end of his or her
8 first term, an Advanced I Certification by the end of his or her
9 second term, and an Advanced II Certification by the end of his or
10 her third term prescribed by and provided through the County
11 Training Program of the Cooperative Extension Service at Oklahoma
12 State University.

13 2. County commissioners, county clerks and county treasurers
14 holding office on November 1, 2020, shall obtain:

15 a. Basic Certification by November 1, 2024, if still
16 holding the same office,

17 b. Advanced I Certification by November 1, 2028, if still
18 holding the same office, and

19 c. Advanced II certification by November 1, 2032, if
20 still holding the same office.

21 C. At the discretion of the County Training Program of the
22 Cooperative Extension Service at Oklahoma State University, current,
23 approved training hours accumulated through previous terms shall
24 apply toward Basic, Advanced I and Advanced II certifications.

1 D. 1. Court clerks elected or appointed after November 1,
2 2020, shall complete the required hours to obtain their certificate
3 through the County Training Program of the Cooperative Extension
4 Service at Oklahoma State University by the end of their first
5 terms. County assessors and county sheriffs elected or appointed
6 after November 1, 2020, shall obtain their certificate through the
7 County Training Program of the Cooperative Extension Service at
8 Oklahoma State University by the end of their second terms. By
9 discretion of the County Training Program of the Cooperative
10 Extension Service at Oklahoma State University, current, approved
11 training hours accumulated through previous terms shall apply toward
12 certificate hours.

13 2. Court clerks holding office November 1, 2020, shall complete
14 the required hours to obtain their certificate through the County
15 Training Program of the Cooperative Extension Service at Oklahoma
16 State University by November 1, 2024, if still holding the same
17 office. County assessors and county sheriffs holding office on
18 November 1, 2020, shall obtain their certificate through the County
19 Training Program of the Cooperative Extension Service at Oklahoma
20 State University by November 1, 2028, if still holding the same
21 office. By discretion of the County Training Program of the
22 Cooperative Extension Service at Oklahoma State University, current,
23 approved training hours accumulated through previous terms shall
24 apply toward certificate hours.

1 E. Upon completion of the requirements in subsections A through
2 D of this section, each county commissioner, county clerk, county
3 treasurer and county court clerk shall be required to attend six (6)
4 hours of continuing education per calendar year through or approved
5 by the County Training Program of the Cooperative Extension Service
6 at Oklahoma State University.

7 F. The deputies of each elected county officer shall
8 participate in the training and educational seminars relevant to
9 their positions and duties.

10 SECTION 3. AMENDATORY 19 O.S. 2011, Section 166, is
11 amended to read as follows:

12 Section 166. A. Failure of a county officer to attend any
13 school, conference or meeting unless excused prior thereto shall
14 cause the county officer to forfeit his or her right to the monthly
15 travel allowance provided by Section 165 of this title for the month
16 in which such school, conference or meeting is held. The directing
17 state officer or agency head shall notify the county clerk of the
18 county of the forfeiture of such county officer.

19 B. Any county commissioner, county treasurer, county clerk,
20 county sheriff or county court clerk who fails to complete the
21 training requirements as outlined in Section 130.7 of this title
22 shall, but not limited to, forfeit his or her right to receive the
23 monthly travel allowance provided by Section 165 of this title or
24 any other penalties authorized by law.

1 C. The County Training Program Director of the Cooperative
2 Extension Service at Oklahoma State University shall send written
3 notification of noncompliance to the county clerk of the county, the
4 board of county commissioners and the State Auditor and Inspector.
5 Upon such notification, the board of county commissioners shall not
6 approve payment of the monthly travel allowance for said county
7 officer. The monthly travel allowance may be reinstated the
8 following month once the county officer becomes compliant with the
9 training requirements. The County Training Program Director of the
10 Cooperative Extension Service shall send written notification to the
11 county clerk of the county, the board of county commissioners and
12 the State Auditor and Inspector when a county officer reestablishes
13 compliance with the training requirements.

14 D. Any county, county officer or deputy may join his or her
15 respective state, national or international association, including
16 but not limited to, the National Association of Counties, the
17 International Association of Assessors and the International
18 Association of Clerks, Records, Election Officials and Treasurers.
19 It shall not be mandatory for a county officer or his or her deputy
20 to attend any meeting, school, institute or conference sponsored or
21 held by anyone other than a state officer or agency head, but if
22 funds are available for travel to such meeting, school, institute or
23 conference, either within or outside this state, from funds
24 appropriated for traveling expenses in addition to the monthly

1 travel allowance provided by Section 165 of this title, then it
2 shall be lawful for such traveling expenses to be paid from such
3 travel funds so appropriated to the county officer or his or her
4 deputies.

5 SECTION 4. This act shall become effective July 1, 2020.

6 SECTION 5. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

10 Passed the House of Representatives the 11th day of March, 2020.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2020.

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Presiding Officer of the Senate

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