

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3884

By: Burns and **Boles**

7 COMMITTEE SUBSTITUTE

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

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

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

Section 130.1 There is hereby re-created, to continue until
July 1, ~~2020~~ 2025, 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 January 1, 2021, and those elected thereafter ~~and the deputies of~~
15 ~~such elected county officers shall be required to participate in the~~
16 ~~appropriate training programs, as defined in subsection B of this~~
17 ~~section, and educational seminars relevant to their positions and~~
18 ~~duties conducted pursuant to Sections 130.1 through 130.7 of this~~
19 ~~title. In addition, county sheriffs and county assessors may attend~~
20 ~~the training programs specified in this section, within ninety (90)~~
21 days of his or her first term of office, to attend and complete
22 orientation training provided through the County Training Program of
23 the Cooperative Extension Service at Oklahoma State University.
24

1 B. ~~Appropriate training programs shall include those programs~~
2 ~~provided by the Cooperative Extension Service at Oklahoma State~~
3 ~~University~~ Each county commissioner, county clerk, county treasurer,
4 county sheriff and county court clerk elected shall be required to
5 obtain a Basic Certification by the end of his or her first term, an
6 Advanced I Certification by his or her second term, and an Advanced
7 II Certification by his or her third term prescribed by and provided
8 through the County Training Program of the Cooperative Extension
9 Service at Oklahoma State University. Upon completion of the
10 Advanced II Certification, each county commissioner, county clerk,
11 county treasurer, county sheriff and county court clerk shall be
12 required to attend six (6) hours of continuing education per
13 calendar year through the County Training Program of the Cooperative
14 Extension Service at Oklahoma State University.

15 C. The deputies of such elected county officers shall
16 participate in the training and educational seminars relevant to his
17 or her position and duties outlined in Sections 130.1 through 130.7
18 of this title.

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

21 Section 166. A. Failure of a county officer to attend any
22 school, conference or meeting unless excused prior thereto shall
23 cause the county officer to forfeit his or her right to the monthly
24 travel allowance provided by Section 165 of this title for the month

1 in which such school, conference or meeting is held. The directing
2 state officer or agency head shall notify the county clerk of the
3 county of the forfeiture of such county officer.

4 B. Any county commissioner, county treasurer, county clerk,
5 county sheriff or county court clerk who fails to complete the
6 training requirements for orientation, Basic Certification, Advanced
7 I Certification, and Advanced II Certification as outlined in
8 Section 130.7 of this title shall, but not limited to, forfeit his
9 or her right to receive the monthly travel allowance provided by
10 Section 165 of this title or any other penalties authorized by law.

11 C. The County Training Program Director of the Cooperative
12 Extension Service at Oklahoma State University shall send written
13 notification of noncompliance to the county clerk of the county, the
14 board of county commissioners and the State Auditor and Inspector.
15 Upon such notification, the board of county commissioners shall not
16 approve payment of the monthly travel allowance for said county
17 officer. The monthly travel allowance may be reinstated the
18 following month once the county officer becomes compliant with the
19 training requirements. The County Training Program Director of the
20 Cooperative Extension Service shall send written notification to the
21 county clerk of the county, the board of county commissioners and
22 the State Auditor and Inspector when a county officer reestablishes
23 compliance with the training requirements.

1 D. Any county, county officer or deputy may join his or her
2 respective state, national or international association, including
3 but not limited to, the National Association of Counties, the
4 International Association of Assessors and the International
5 Association of Clerks, Records, Election Officials and Treasurers.
6 It shall not be mandatory for a county officer or his or her deputy
7 to attend any meeting, school, institute or conference sponsored or
8 held by anyone other than a state officer or agency head, but if
9 funds are available for travel to such meeting, school, institute or
10 conference, either within or outside this state, from funds
11 appropriated for traveling expenses in addition to the monthly
12 travel allowance provided by Section 165 of this title, then it
13 shall be lawful for such traveling expenses to be paid from such
14 travel funds so appropriated to the county officer or his or her
15 deputies.

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

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

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22 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,
23 dated 02/24/2020 - DO PASS, As Amended and Coauthored.
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