

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 3884

By: Burns

AS INTRODUCED

An Act relating to counties and county officers; amending 19 O.S. 2011, Sections 130.1, as last amended by Section 1, Chapter 191, O.S.L. 2019 and 130.7, as amended by Section 1, Chapter 103, O.S.L. 2015 (19 O.S. Supp. 2019, Sections 130.1 and 130.7), which relate to county government personnel education and training; extending creation of Commission on County Government Personnel Education and Training; requiring certain hours of training for county commissioners; requiring submission of certain reports; establishing penalties; amending 19 O.S. 2011, Section 166, which relates to forfeiture of travel allowance; providing for forfeiture of monthly travel allowance for failure to complete training requirements; requiring written notification; providing an effective date; and declaring an 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 Sunset Law, the Commission on County Government Personnel Education

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

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

11 Section 130.7 A. Each county commissioner, county clerk,
12 county treasurer, and court clerk holding office on ~~May 11, 1982~~
13 January 1, 2021, and those elected thereafter ~~and the deputies of~~
14 ~~such elected county officers~~ shall be required ~~to participate in the~~
15 ~~appropriate training programs, as defined in subsection B of this~~
16 ~~section, and educational seminars relevant to their positions and~~
17 ~~duties conducted pursuant to Sections 130.1 through 130.7 of this~~
18 ~~title. In addition, county sheriffs and county assessors may attend~~
19 ~~the training programs specified in this section, within ninety (90)~~
20 ~~days of his or her first term of office, to attend and complete~~
21 orientation training provided through the County Training Program of
22 the Cooperative Extension Service at Oklahoma State University.

23 B. ~~Appropriate training programs shall include those programs~~
24 ~~provided by the Cooperative Extension Service at Oklahoma State~~

1 University Each county commissioner, county clerk, county treasurer,
2 county sheriff and county court clerk elected shall be required to
3 obtain a Basic Certification by the end of his or her first term, an
4 Advanced I Certification by his or her second term, and an Advanced
5 II Certification by his or her third term prescribed by and provided
6 through the County Training Program of the Cooperative Extension
7 Service at Oklahoma State University.

8 C. The deputies of such elected county officers shall
9 participate in the training and educational seminars relevant to his
10 or her position and duties outlined in Sections 130.1 through 130.7
11 of this title.

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

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

21 B. Any county commissioner, county treasurer, county clerk,
22 county sheriff or county court clerk who fails to complete the
23 training requirements for orientation, Basic Certification, Advanced
24 I Certification, and Advanced II Certification as outlined in

1 Section 130.7 of this title shall, but not limited to, forfeit his
2 or her right to receive the monthly travel allowance provided by
3 Section 165 of this title or any other penalties authorized by law.

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

17 D. Any county, county officer or deputy may join his or her
18 respective state, national or international association, including
19 but not limited to, the National Association of Counties, the
20 International Association of Assessors and the International
21 Association of Clerks, Records, Election Officials and Treasurers.
22 It shall not be mandatory for a county officer or his deputy to
23 attend any meeting, school, institute or conference sponsored or
24 held by anyone other than a state officer or agency head, but if

1 funds are available for travel to such meeting, school, institute or
2 conference, either within or outside this state, from funds
3 appropriated for traveling expenses in addition to the monthly
4 travel allowance provided by Section 165 of this title, then it
5 shall be lawful for such traveling expenses to be paid from such
6 travel funds so appropriated to the county officer or ~~his~~ deputies.

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

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

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