

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   ENGROSSED SENATE  
5   BILL NO. 809

By: Weaver of the Senate

and

Ford of the House

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9       An Act relating to law enforcement officers; amending  
10      74 O.S. 2011, Section 150.23, as last amended by  
11      Section 1, Chapter 15, O.S.L. 2019 (74 O.S. Supp.  
12      2020, Section 150.23), which relates to custody and  
13      possession of sidearms and badges upon retirement or  
14      death; modifying inclusions; and providing an  
15      effective date.

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

17       SECTION 1.       AMENDATORY       74 O.S. 2011, Section 150.23, as  
18      last amended by Section 1, Chapter 15, O.S.L. 2019 (74 O.S. Supp.  
19      2020, Section 150.23), is amended to read as follows:

20       Section 150.23.   A.   An officer, investigator, or agent of the  
21      Oklahoma State Bureau of Investigation, the Oklahoma State Bureau of  
22      Narcotics and Dangerous Drugs Control, the Department of Wildlife  
23      Conservation, the Law Enforcement Division of the Oklahoma Horse  
24      Racing Commission, the State Fire Marshal's Office, the Oklahoma  
25      Tourism and Recreation Department, the Office of Inspector General

1 and the Oklahoma Child Support Services divisions of the Department  
2 of Human Services, a Probation and Parole officer or Internal  
3 Affairs agent of the Department of Corrections, law enforcement  
4 officers employed by the Grand River Dam Authority, a campus police  
5 officer, as defined in Section 360.16 of this title or the office of  
6 a district attorney shall be entitled to receive, upon retirement by  
7 reason of length of service, the continued custody and possession of  
8 the sidearm and badge carried by such officer, investigator<sub>7</sub> or  
9 agent immediately prior to retirement.

10 B. An officer, investigator<sub>7</sub> or agent specified in subsection A  
11 of this section may be entitled to receive, upon retirement by  
12 reason of disability, the continued custody and possession of the  
13 sidearm and badge carried by such officer or agent immediately prior  
14 to retirement upon written approval of the applicable Director of  
15 the appropriate Bureau, Department, Commission<sub>7</sub> or district  
16 attorney.

17 C. Custody and possession of the sidearm and badge of an  
18 officer, investigator<sub>7</sub> or agent who dies while employed by any  
19 Bureau, Department, Commission<sub>7</sub> or office specified in subsection A  
20 of this section may be awarded by the applicable Director of the  
21 appropriate Bureau, Department, Commission<sub>7</sub> or office to the spouse  
22 or next of kin of the deceased officer, investigator<sub>7</sub> or agent.

23 D. A correctional officer or a peace officer of the Department  
24 of Corrections shall be entitled to receive, upon retirement by

1 reason of length of service, the continued custody and possession of  
2 the firearm and badge carried by such officer immediately prior to  
3 retirement.

4 E. In addition to the firearm carried by a correctional officer  
5 or a peace officer of the Department of Corrections, the retired  
6 correctional officer or peace officer may purchase the rifle or  
7 shotgun, or both, issued to the correctional officer or peace  
8 officer immediately prior to retirement. The cost to the retired  
9 officer of purchasing the rifle or shotgun, or both, shall be the  
10 price the Department of Corrections paid at the time of purchase,  
11 and upon payment of that price, the retired correctional officer or  
12 peace officer shall be entitled to ownership of the rifle or  
13 shotgun, or both.

14 F. In addition to the sidearm carried by a retired agent of the  
15 Oklahoma State Bureau of Investigation, the retired agent may  
16 purchase the rifle or shotgun, or both, issued to the retired agent  
17 immediately prior to retirement. The cost to the retired agent of  
18 purchasing the rifle or shotgun, or both, shall be the price the  
19 Oklahoma State Bureau of Investigation paid at the time of purchase,  
20 and upon payment of that price, the retired agent shall be entitled  
21 to ownership of the rifle or shotgun, or both.

22 SECTION 2. This act shall become effective November 1, 2021.

23 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 04/06/2021 -  
24 DO PASS.