

1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4  
5  
6  
7  
8  
9  
0  
1  
2  
3  
4

March 28, 2022

ENGROSSED HOUSE  
BILL NO. 3065

By: Manger and Gann of the  
House

and

# Weaver of the Senate

An Act relating to public health and safety; amending 63 O.S. 2021, Section 2-103, which relates to the Uniform Controlled Dangerous Substances Act; authorizing commissioned employees to purchase certain firearms prior to retirement; providing purchasing requirements; providing for the transfer and modification of ownership records; directing proceeds be deposited into certain revolving fund; and providing an effective date.

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

SECTION 1. AMENDATORY 63 O.S. 2021, Section 2-103, is amended to read as follows:

Section 2-103. A. The Director shall be appointed by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control Commission. The Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control on January 1, 1984, shall be initially appointed as Director. The succeeding Director shall, at the time of the appointment, have a Bachelor's Degree from an accredited college or university and at least five (5) years of experience in drug law enforcement. The Director may appoint necessary

1 assistants, agents, and other personnel to perform the work of the  
2 office and may prescribe their titles and duties and fix their  
3 compensation pursuant to Merit System rules. The Director may  
4 appoint employees to the positions of Chief of Law Enforcement  
5 Information and Technology, Public Information/Education Officer,  
6 Training Officer, Program Administrators, Grants Administrator,  
7 Criminal Analysts, Legal Secretary, and Typist Clerk/Spanish  
8 Transcriptionists. The positions shall be unclassified and exempt  
9 from the rules and procedures of the Office of Management and  
10 Enterprise Services, except leave regulations. The office of the  
11 Director shall be located at a suitable place in Oklahoma City,  
12 Oklahoma.

13 B. 1. Agents appointed by the Director shall have the powers  
14 of peace officers generally; provided, the Director may appoint  
15 special agents and reserve special agents, who shall be unclassified  
16 employees of the state, to meet specific investigatory needs.  
17 Special agents and reserve special agents shall not be required to  
18 meet the age and educational requirements as specified in this  
19 section.

20 2. Agents appointed on and after November 1, 1998, shall be at  
21 least twenty-one (21) years of age and shall have a Bachelor's  
22 Degree from an accredited college or university.  
23  
24

1        3. Each entering agent, with the exception of special agents,  
2 shall be required to serve one (1) year in a probationary status as  
3 a prerequisite to being placed on permanent status.

4        C. Agents appointed pursuant to the provisions of this section  
5 shall have the responsibility of investigating alleged violations  
6 and shall have the authority to arrest those suspected of having  
7 violated the provisions of the Uniform Controlled Dangerous  
8 Substances Act, as well as the crimes of money laundering and human  
9 trafficking, as otherwise set forth by laws of this state.

10       D. The Director may appoint reserve special agents who shall  
11 not be considered employees of the state and shall serve at the will  
12 of the Director. Reserve special agents shall complete a minimum of  
13 two hundred forty (240) hours of training pursuant to Section 3311  
14 of Title 70 of the Oklahoma Statutes and may not serve more than one  
15 hundred forty (140) hours per calendar month. Upon completion of  
16 training, reserve special agents appointed by the Director shall  
17 have general peace officer powers and the authority to arrest those  
18 suspected of having violated the provisions of the Uniform  
19 Controlled Dangerous Substances Act. The agency may expend funds  
20 related to training and special reserve agents may receive travel  
21 expenses pursuant to the State Travel Reimbursement Act.

22       E. A commissioned employee of the Oklahoma State Bureau of  
23 Narcotics and Dangerous Drugs Control shall be entitled to receive,  
24 upon retirement by reason of length of service, the continued

1 custody and possession of the sidearm and badge carried by such  
2 employee immediately prior to retirement. In addition to the  
3 sidearm carried by the commissioned employee immediately prior to  
4 retirement, the commissioned employee may purchase the rifle or  
5 shotgun, or both, issued to the commissioned employee immediately  
6 prior to retirement upon approval from the Director. The cost to  
7 the commissioned employee of purchasing the firearm shall be the  
8 state-approved firearms vendor trade-in value, and upon payment of  
9 that price, the commissioned employee shall be entitled to ownership  
10 of the firearm. Any records regarding the ownership of each firearm  
11 transferred shall be modified to reflect the transfer to the  
12 commissioned employee. Proceeds from the purchase of the firearm  
13 shall be deposited in the Bureau of Narcotics Revolving Fund  
14 established pursuant to Section 2-107 of this title.

15 F. A commissioned employee of the Bureau may be entitled to  
16 receive, upon retirement by reason of disability, the continued  
17 custody and possession of the sidearm and badge carried by such  
18 employee immediately prior to retirement upon written approval of  
19 the Director.

20 G. Custody and possession of the sidearm and badge of a  
21 commissioned employee killed in the line of duty may be awarded by  
22 the Director to the spouse or next of kin of the deceased employee.

23 H. Custody and possession of the sidearm and badge of a  
24 commissioned employee who dies while employed at the Oklahoma State

1 Bureau of Narcotics and Dangerous Drugs Control may be awarded by  
2 the Director to the spouse or next of kin of the deceased employee.

3 I. Any Director appointed on or after July 1, 2003, shall be  
4 eligible to participate in either the Oklahoma Public Employees  
5 Retirement System or in the Oklahoma Law Enforcement Retirement  
6 System and shall make an irrevocable election in writing to  
7 participate in one of the two retirement systems.

8 J. Any employee of the Oklahoma State Bureau of Narcotics and  
9 Dangerous Drugs Control in a classified position under the Merit  
10 System of the Personnel Administration who is appointed Director,  
11 Deputy Director, Acting Director or Acting Deputy Director shall  
12 have a right to return to the highest previously held classified  
13 position without any loss of rights, privileges or benefits  
14 immediately upon completion of the duties of the employee, provided  
15 the employee is not otherwise disqualified.

16 SECTION 2. This act shall become effective November 1, 2022.

17 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
18 March 28, 2022 - DO PASS  
19  
20  
21  
22  
23  
24